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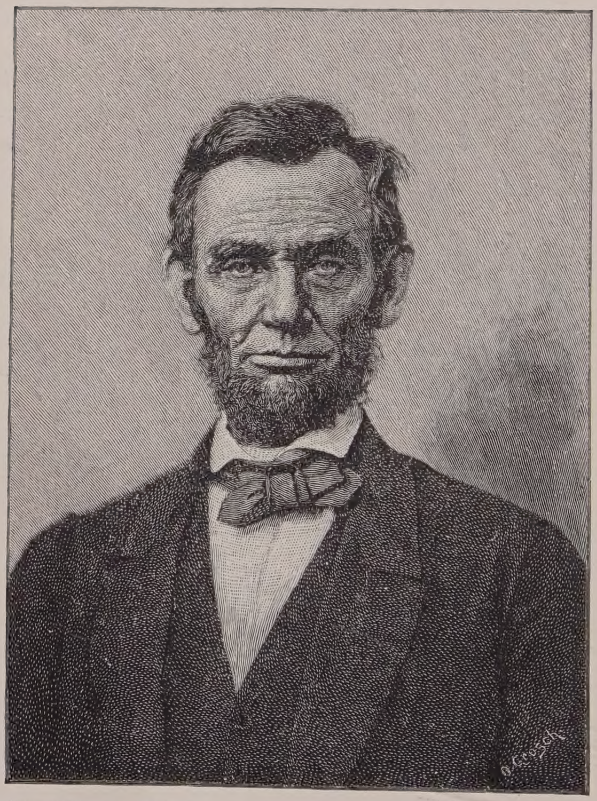

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ABRAHAM LINCOLN.

THE

CONSTITUTIONAL

AND

POLITICAL HISTORY

OF THE

UNITED STATES.

BY

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TRANSLATED FROM THE GERMAN

By JOHN J. LALOR, A. M.

1859–1861.

HARPER'S FERRY—LINCOLN'S INAUGURATION.

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AN OPEN LETTER

TO

Dr. Heinrich von Sybel.

(In lieu of the Preface.)

My Very Dear Friend:

This volume brings to a close my work on the Constitutional History of the United States, to which you gave the first impulse more than twenty years ago. It does not, as my readers will probably expect, follow the course of events up to the actual outbreak of the civil war. Although that event, for very intelligible reasons, has been considered hitherto as the end of the old Union and the beginning of the new, I have deemed it best to stop short of it. The deeper I made my studies, and the more I endeavored to comprehend the essence of things, the less could I accept that view; and still, so far as I am aware, its correctness has never yet been questioned. Naturally, there can be only a very partial justification for assigning any particular day as the boundary between the two. So far, however, as it is proper to draw such a dividing line at all, it seems to me that the grave closed over the coffin which slavery had made for the Union under the constitution of 1789, not amid the thunder of cannon of the 12th of April, but amid the festal music of the 4th of March, 1861. Yet, I see the decisive element, not in the fact that Abraham Lincoln took the place of James Buchanan, but simply in this, that by the constitutional end of the Thirty-sixth congress the way

was cleared for the collision of the rebellion and the federal government.

I well know that this opinion, like many others I have expressed, will meet with decided and wide-spread contradiction. I think, however, that I may consider it as the best fruit of my labors during the twenty-three years which have elapsed since I began my studies for this work, that their results have met not only with rich recognition, but also with abundant and violent opposition. Contradiction and acquiescence have stimulated us to efforts of varying intensity, to which we are indebted for the amplification, clarification and deepening in many ways of our historical knowledge. And I have reason to hope that my book has not yet ceased to be a working force in this respect.

This is the main ground of my confidence that those without whose powerful assistance I could not have begun it, and still less continued and completed it, will not regret the help they gave me. Although I know best myself wherein and how far I have fallen below the desirable, I hesitate all the less to say this much without any reserve, as, while I again give public expression to my warmest gratitude for aid received, I venture to beg all to bear in mind that the shortcomings of my work, whatever they may be, cannot be ascribed exclusively to a lack of ability. The Prussian Academy of Sciences and the government of Baden were able to afford me the possibility of completing the book by their munificent liberality in placing at my disposal the means to undertake, for the purpose of study, a journey to the United States in the year 1878–79, and to sojourn repeatedly in London. But they were not able to alter in the least the fact that an essential precondition of a satisfactory solution of the problem was a constant and intimate association with the intellectual life of the American nation in its living, progressive development in all its phases and in

its every direction; and this precondition could not, in the nature of things, be fulfilled to the extent required and in the right way, in a university of southern Germany and in a city of medium size. Under any circumstances, the difference between what my ability and my desire would have been is very clear; but the fact that I was obliged to work under conditions which in many and important respects were by no means favorable will not be left entirely out of consideration by those who would pass a just judgment upon the result of my labors.

With my most cordial thanks,

Devotedly yours,

HERMANN VON HOLST.

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HARPER'S FERRY—LINCOLN'S INAUGURATION.

CHAPTER I.

HELPER'S "CRISIS" AND JOHN BROWN.

No political party had any reason to look back at the history of the Thirty-fifth Congress with satisfaction. The country had, it is true, been forced a great way forward towards the solution of the all-embracing slavery question, during the last two years, and the Thirty-fifth Congress, by its actions and omissions, had no small share in bringing that question nearer to a settlement. Only negative results, however, had been achieved, and the progress made consisted in the fact that the radical failure of old means and methods had been well-nigh demonstrated.

No party had a success to record which it could consider a safe basis for the achievement of further successes. All came out of the hot but barren struggle of that legislative period weaker than they had entered it. Although passion, interest, or moral conviction sustained their resolution, there was no real, bellicose ardor in any party, because no party could be filled with the confidence of victory, and the future seemed delivered over entirely to the malignant gods of chance.

The republicans were too conscious of the condition of affairs in their own camp to yield to the sweet illusion that the quarrel in the camp of the enemy made them certain of victory. They were still, in an eminent degree, a

nascent party, and had to suffer very keenly from the inevitable consequences of that fact. A great part even of those who had already joined it — the aggressive elements and real leaders themselves not excepted — could not or would not entirely forget the creed of the party to which they had previously belonged. This fact influenced more or less the attitude of the party towards the different personages of great prominence in the politics of the country, aggravated the difficulty of putting forward — what, in the long run could not be avoided — a party programme on the political problems other than the slavery question that existed, and frequently caused a not unimportant difference in the whole way of looking at the slavery question itself. And if this must have greatly limited the freedom of action on which mainly depends what degree of energy can be developed, that freedom must have been limited still more, in consequence of the fact that there was frequently a possibility of success, only on condition that the remnant of the parties of the past still vegetating under the old names, were induced to give their votes to the republican candidates.[1] Hence, Greeley thought that the republicans had never yet been, and would not very soon be, in a condition to get a hundred electoral votes "on a square issue," and prophesied "with perfect certainty that they (we) would be horribly beaten," if Seward or Chase were nominated as a presidential candidate, with the platform of 1856.[2]

[1] Thus, for instance, Charles A. Dana wrote on the 1st of September, 1859: "Here in New Jersey is a state election at hand which it is important not to lose. Another is to take place in New York. The Americans hold the balance of power in both. Their party is in the act of final dissolution. Shall we let the fragments fall into the arms of the Locofocos?" Pike, p. 444.

[2] Greeley to Geo. E. Baker, April 28, 1859. Barnes, Life of Th. Weed, II, p. 255.

The conservative democrats were in a better condition, inasmuch as there was no difference of opinion among them as to who was to be their presidential candidate. But, notwithstanding this, they scarcely ventured to claim that their prospects were more brilliant, although — and with perfect right — they were just as far from considering their cause hopeless. Douglas had not failed to make endeavors to appease the anger of the slavocracy at his opposition in the Lecompton question. All the speeches he had made on his journey through the southern states at the end of 1858 had that object in view. In Memphis (November 29) he had recommended himself to them by the emphatic declaration that the Union must acquire more Mexican territory, and Cuba besides.[1] In New Orleans (December 6) he had pledged himself and his followers, unconditionally, to the Dred Scott decision, at the same time laying special stress on the limitations of power to which the territorial legislatures were subjected by the constitution as interpreted by the courts;[2] and again professed the doctrine that the constitution recognized the slaves as property on an equal footing with all other property.[3] The history of the second session of the Thirty-fifth Congress had shown how fruitless this love-

[1] "So it is with the island of Cuba; . . . it is a matter of no consequence whether we want it or not; we are compelled to take it, and we can't help it."

[2] Compare with this the declaration in the Freeport debate with Lincoln, vol. VI, p. 238, etc.

[3] "I, in common with the democracy of Illinois, accept the Dred Scott decision of the supreme court of the United States, in the Dred Scott case, as an authoritative exposition of the constitution. Whatever limitations the constitution, as expounded by the courts, imposes on the authority of a territorial legislature, we cheerfully recognize and respect in conformity with that decision. Slaves are recognized as property, and placed on an equal footing with all other property. Hence, the owner

making was. Forced by John Brown, out of consideration for his adherents in the northern states, to profess anew and without reserve his Freeport doctrine,— declared more and more loudly, and more and more violently, to be the worst enemy of the south by the radical slavocrats,— the whole people shown by his removal from the chairmanship of the committee on territories how bitterly in earnest the radicals were in their loathing for him,— all this must have put a heavy damper on the enthusiasm of even his most devoted friends. And great as was Douglas's inventive slyness, it was not equal to the task of constructing a new formula by means of which the contending party fractions might delude themselves as to their differences, or even of artificially creating a question for the sake of which his southern opponents would have agreed to desist, for a time, from trying to effect a settlement of the question of principle, and to follow him into the field as the leader of the whole party. He knew nothing better to do than to go about among writers, in order, with printer's ink, to win new converts to the saving power of the doctrine of Popular Sovereignty, and at the same time give his most seriously discredited consistency a better reputation. In both respects he achieved less than nothing. So thorough a finishing stroke had been given to the doctrine of Popular Sovereignty, both with tongue and pen, and it had been so completely reduced *ad absurdum* by the actual development of things, that no effectual propaganda could now be made for it. Precisely his essay in *Harper's Magazine*[1] made that completely impossible, for now Attorney-

of slaves — the same as the owner of any other species of property — has a right to remove to a territory, and carry his property with him."

[1] This article elicited from Lincoln the caustic remark: "His explanations, explanatory of explanations, are interminable."

General Black entered the lists against him, and destroyed what reputation he had left for consistency on this question.[1] The fact that Black's own constitutional views were no less open to criticism than those of his opponent could not detract from the convincing force of his polemic, in so far as it made Douglas himself refute Douglas. In Douglas's original following there might have been many whom nothing could make waver in their absolute faith in their prophet. But whoever had not hitherto professed his doctrine could not now honestly take it up; since Douglas, on the one hand, laid down the principle that every political creed must be radically wrong that could not be proclaimed in the same sense in all parts of the Union;[2] and, on the other, he himself illustrated its alleged infallibility by his incapacity to ward off new attacks on it, except by giving it a new coloring and formulating it with more oracular vagueness. But it would have been exceedingly foolish to consider it impossible, on this account, that his endeavors to obtain votes would not meet with any success worth mentioning. It was only too conceivable that a very large part of the numerous, uncertain, wavering elements might ultimately go with him, spite of his doctrine, because the victory of the party representing it seemed to afford the best prospects that further and more serious disturbances of domestic peace would be avoided.

The other democratic wing had, like the republicans, no universally recognized leader, and had, moreover, no single, positive programme. It consisted of many groups, fading

[1] Black's articles appeared in the Washington *Constitution*, and were reprinted by Ch. F. Black in Essays and Speeches of Jeremiah Black, pp. 212–242.

[2] The phrase: "No political creed is sound or safe," in his speech of February 23 (Speeches, p. 282), he strengthened in his speech of September 9, 1859, in Cincinnati, into: "Any political creed is radically wrong." The New York *Tribune*, September 10, 1859.

gradually into one another, all of whom had the slave-holding interest as the polar star of their politics, but who were determined thereto by very different motives, who wanted to operate with very different means, and who even pursued very different aims. Between the "northern man with southern principles," whom personal interest, constitutional views, or anxiety for the domestic peace of the country, made ever ready to serve the slavocracy, although he in no way desired to promote slavery itself, but, at the worst, was entirely indifferent to it,— between such a man and the southern fanatic, who, conscious of his aim, labored for the dissolution of the Union, because, in politics, he knew no interest but that of the slave-holders, there was so great a distance, that, at bottom, the only thing all the groups were fully united on was the wish and endeavor to leave none of the other parties at the helm. Hence, the moment power was wrested from it, the dissolution of the party would begin. How this was accomplished might decide the fate of the Union, and the fate of the Union would depend primarily on whether the Douglas democrats or the republicans came into power. In the former case it would become so much harder for the radicals to force the south into their extreme policy that they would, presumably, abstain from any attempt to carry out their programme immediately. If two democratic presidential candidates were put up, it was not inconceivable that this consideration would induce many in the southern states to vote for Douglas, although neither his person was acceptable to them nor his Popular Sovereignty doctrine sufficient for them. The number of those was great who, despite their conviction of the necessity of extorting further concessions to the slave-holding interest, preferred the continuance for a time of the *status quo* to seeing the Union put in peril. If the candidate of the south were chosen, this danger would be averted and the first precon-

dition of the possibility of the realization of their wishes would be fulfilled. But it was precisely the putting up of an opposing democratic candidate that made Douglas's election improbable, provided the decision lay in the election by the people. The election of such a candidate was, as a matter of course, next to impossible; for in none of the free states had he the slightest prospect of winning against Douglas and the republican candidate, and it was very doubtful, at least, whether he would carry all the border states. The case might be very different, indeed, if the election went to the house of representatives. The Douglas democrats might then find themselves confronted by the alternative of voting for him or helping elect the republican, and how they would vote, under such circumstances, could scarcely be a question. Whether this possibility, or the consideration mentioned above, ultimately prevailed with the southern democrats who stood between the conservatives and the radicals, might easily decide the issue of the electoral campaign, if only one republican and two democratic candidates were in the field.

That this would be the case was, however, far from certain. The number of those who would have nothing to do either with a republican or a democratic candidate of any description was too small to enable them to carry off the prize, but large enough to allow them to put up a candidate of their own without becoming objects of ridicule. In several, and in some large, states they might easily win, if the democratic party were split. If they went into the electoral campaign united as an independent party, they would introduce into it a new and serious element of uncertainty. Then, indeed, the fate of the Union, in the critical condition in which it had existed ever since its origin, would depend on a long series of incalculable and intricate contingencies. The greatest danger to which any demo-

cratic republic can be exposed would have arisen: at a period when frightful danger threatened, the disruption of parties would have gone so far that there would no longer be any public opinion.

Under these circumstances, it might easily happen that occurrences which, of themselves, had only a symptomatic importance, might become events of immense scope, by exercising a dissolving or consolidating influence on one or other of the great parties.

Two such incidents introduced the Thirty-sixth Congress in a manner calculated to increase the fear that it would be the last one of "this Union" under the constitution.

A book was once more destined to play a part of great importance in the history of the slavery question. As much was now said and written about Helper's "Impending Crisis" as formerly about "Uncle Tom's Cabin;" as much, but in a very different way, for the two books had only this in common, that they were directed against slavery. Harriet Beecher Stowe had fully attained her object: to bring it directly to the living consciousness of the people, by a realistic picture of slave life, that even negro slaves were human beings, and that, therefore, the slavery question had not only an economic, political and constitutional phase, but also a moral one, which a civilized, Christian people should not and could not lose sight of without guilt or without disgrace. Precisely because she had no definite political aim, her book exercised a powerful, political effect. Her antagonists had no weapons against her except the claim that her descriptions were false. But they were bound to produce the proof of this assertion, and their attempts to do so, in the main, failed. But where she had succeeded in reaching the conscience through the imagination and the sentiments, people henceforth approached the concrete questions raised by the further de-

velopment of the slavery problem, in a different frame of mind. Thought was influenced by the feelings awakened by her, and the latter were very gradually transformed, in different measures and in different ways, into political action. The slavocracy had not been able to prevent this; for, as Calhoun had rightly said, constitutional deductions could not change the moral feelings of men nor lastingly prevent their manifestation by acts. But even apart from this, the very form of the attack had made it impossible to meet it with the heavy guns of a political battle. The slavocracy would have only made themselves ridiculous if they had attempted it. They did not for a single moment ignore how great a mistake that would have been. Even in their denunciations of the tendency of the novel, they had not, for the most part, exceeded certain bounds, either because too violent language might have been looked upon as a proof of the truth of the picture, or because it was evident that a horror of slavery and not hatred of slave-holders had dictated the book.

In glaring contrast with this relative moderation was the language now used in the south, both by radicals and conservatives, against Helper's book. While in the north it did not produce a particle of the sentimental excitement with which rich and poor, educated and uneducated alike, had read "Uncle Tom's Cabin," but only created a sensation, and that only in very narrow circles of people, until agitation by the politicans extended it among the masses, in the south it generated unprecedented acrimony. The proximate cause of this was that the viper came from its own nest. Helper was a North Carolinian. This increased his guilt tenfold in the eyes of the south. Moreover, that fact made the significance of his attack much greater, for the opponents of slavery would naturally not fail to represent the incontrovertibility of his testimony as a self-evident conse-

quence of his southern origin. It was sought to meet this with the charge that he was a disreputable, worthless fellow, who had already figured as a common criminal. Whether, and to what extent, this charge was founded in fact, need not be examined here, for the only thing that, in the public interest, could be considered, was the value and the truth of the contents of his book, and these were not affected by the charges. And that the south declared the book to be a base libel could not be recognized by the north as a sufficient refutation of his assertions, any more than the suspicions cast upon his personal character. The mass of statistical data which Helper adduced in support of his thesis, that slavery was an economic curse which had made the south, as compared with the more than royal wealth of the north, a miserable, ragged scullion, could not be dismissed by calling him a mendacious knave. On the other hand, they were just as far from being, as a great many northern politicians claimed, and, in part, really believed, an irrefutable proof of the truth to nature of the frightful picture he had drawn of the economic condition of the south, although Seward's statement may have been quite right, that his figures were as reliable as any statistical data could have been, at that time, in the United States. He had well understood the easy art of finding in his sources the things his object called for, and which threw the most glaring light upon the picture he desired to paint, while he let his eye sweep past whatever might influence its color or perspective in a way opposed to his intentions. In a word, the book was not the study of a statistician: a political pamphleteer aglow with passion had, without understanding and without scruple, pressed statistics into his service. But the slavocracy should have been the last to accuse him of a crime on that account, for they had long proven themselves unsurpassable masters in such a misuse

of statistics. His gloomy picture, however, was infinitely nearer the truth than the fabulous wealth which they figured out for the south, by adding the entire export value of their staple products as receipts to the entire slave population at the selling value of individual slaves. And they would certainly have been satisfied with opposing, as they had done in numberless similar cases of attack before, to this pessimistic description, their own fantastical calculation, if Helper had not drawn, from his data, the conclusion that the country was systematically ruined, in favor of the small minority of slave-holders, and at the expense of the great majority of non-slave-holders.

Such was the *thema probandum* of his book, and he had entered on its demonstration in order to tear away from the eyes of all concerned the bandage tied over them by the hard-hearted, inconsiderate selfishness of the slavocracy, to summon them to draw the practical consequence that followed from it, and to enforce their rights. This he not only said in plain terms but shouted in the very face of the slavocracy.[1] It was a formal declaration of war not only against slavery but in the first place against the slave-holders, and the war was to be waged by their own infatuated followers, whom they had for generations robbed of wealth, education and real freedom. Even if it were to be a bloodless war, waged only with voting ballots, abstention from intercourse and similar means,[2] it

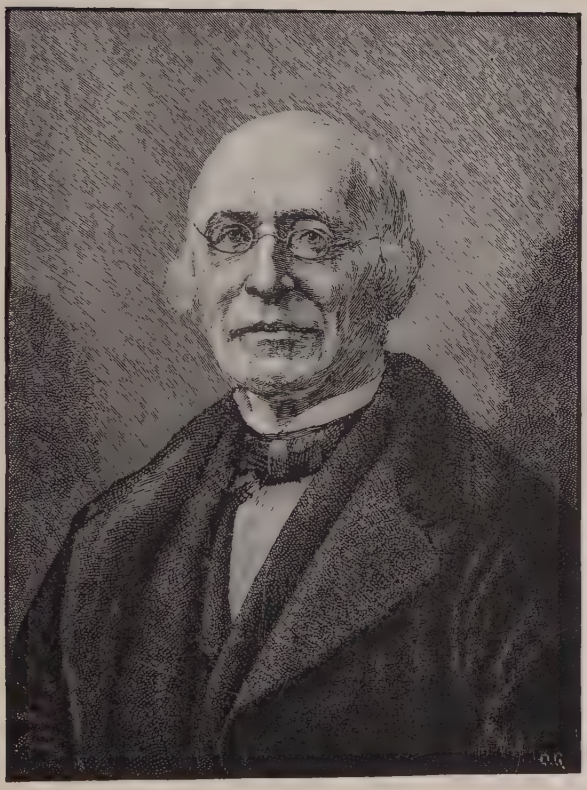
[1] The programme of the non-slave-holders, and some of the most violent parts, may be read in Mr. Buchanan's Administration on the Eve of the Rebellion, pp. 59–62. The quotation of a single sentence must suffice here: "Our own banner is inscribed: No co-operation with slave-holders in politics; no fellowship with them in religion; no affiliation with them in society; no recognition of pro-slavery men, except as ruffians, outlaws and criminals." Page 156.

[2] It is very significant that, notwithstanding this, Pryor, of Virginia, accused him of having incited the non-slave-holders to rebellion against

was none the less the beginning of a struggle of life and death.

But was not Helper a harlequin who, with a crazy flourish, was endeavoring to make everybody believe that his wooden sword was Brutus's dagger? Did the slavocracy need to care any more about the angry challenge of a single, hitherto entirely unknown man, than the moon about the baying of a dog? They knew well enough how certainly they could count upon their following of non-slave-holders, but they knew also that Helper knew that as well as they. What then had determined him to his unheard-of course? Big as he might talk, no one could imagine that he was a fanatic after the manner of Lloyd Garrison, who had, singly and namelessly, declared a war of life and death against slavery. That he was an irresponsible fool could not be inferred from his book. The slavocracy had never been able to deceive themselves into believing, that, indeed, there was no conflict of interests between themselves and the non-slave-holders; and, for a long time back, occasional complaints had escaped their most intelligent politicians, of the increasing indications that the non-slave-holders were beginning to grow conscious of such a conflict. If they did not wish to live only for the present moment, but had also an eye for the future, Helper's appeal to the non-slave-holders was certainly deserving of their serious consideration. Even in the most menaced states, Missouri and Texas, there was question, here, of so distant a future, that Helper would, undoubtedly, have used much more moderate language, if

the slave-holders. "But the peculiarity of that book was that Mr. Helper, for the first time in the history of this country, had invoked, with all the power of passion, with all his limited resources of rhetoric, the non-slave-holders of the south to rise in rebellion against the slave-holders. That was the peculiar merit of his book." Congr. Gl., 1st Sess., 36th Congr., p. 49.



WILLIAM LLOYD GARRISON.

he had really written his book to effect the downfall of slavery, by making the south a house divided against itself. His book was intended to find a market not among the non-slave-holders but in the free states, and its appearance became an event of symptomatic importance, from the fact that Helper believed he would be able to insure a brilliant success for himself there, by plentifully seasoning it with the richest spices. It would be doing him an entirely undeserved honor to accord him a place among the exciters of the storm. The petrel does not bring the storm, but only announces its approach with unerring instinct.

Helper had rightly appreciated the situation. Some of the republican leaders in New York, among them Greeley and Thurlow Weed, had issued a circular on the 9th of March, 1859, in which they had not only warmly recommended the book, but suggested the idea of having a selection from it printed for gratuitous distribution, in large numbers. In order to procure the money necessary for this purpose, they requested from the members of the house of representatives a written recommendation of the enterprise, and received sixty-eight signatures.[1]

How the times had changed! When Garrison, a rope around his neck, was dragged through the streets of Boston by a mob of "gentlemen," and when, in so many other cities and towns of the north, the hunting of abolitionists was attended by orgies scarcely less revolting, who could have imagined that in less than a generation the official representatives of one of the great national parties would, in this manner, recommend a book which bore, in a high degree, the character of a libel on, and of an inflammatory pamphlet against, the slavocracy, and which besides, as might be

[1] "We, the undersigned, members of the house of representatives of the national congress, do cordially indorse the opinion and approve the enterprise set forth in the foregoing circular."

shown by internal as well as external evidence, owed its origin to the impure motives of a political aspirant. But the gentlemen had, by their hot party zeal, allowed themselves to be misled into taking more than one unwise step.

Unquestionably they had only intended to promote the widest possible distribution of what they considered a good "campaign document." But, even now, it might have been doubted whether the book would prove specially valuable for the purpose of agitation. It indeed furnished rich material for republican stump-speakers, and it was sure that its foulest and most vigorous parts would be greeted with thunders of applause. It was not very certain, on the other hand, that many votes could be gained by it among the wavering; and that, after all, was the main thing. There would be no reason to wonder, if, to a great extent, it should have, rather, a repelling effect in these circles, and for the reason, among others, that the republicans had approved its distribution, in the manner mentioned. They had thus assumed the political and moral responsibility for its form and matter, and its form and matter were such that they met with a just and severe reproof for them. Their party programme limited their struggle against slavery to the prevention of its further extension in the territories of the Union; any intention of taking aggressive steps against it in the states was most decidedly and most emphatically denied. The authors of the circular of the 9th of March, and the sixty-eight men who had recommended it, had violated, if not the terms, at least the spirit, of this solemn assurance, in the grossest manner. It had not been reserved for Helper to discover the conflict of interests between the slavocracy and the non-slave-holders. It had already been frequently discussed without its having been possible to make any just complaint on that account. But Helper sought to incite the non-slave-holders to give ex-

pression to that conflict in the most ruthless political and social struggle, until the annihilation of slavery had been accomplished. To start a propaganda for a book which had its *raison d'être* in this, without making any reservation whatever in the recommendation of it, meant, of course, the approval of Helper's object; and hence the recommendation of it, as it was sent out into the world by sixty-eight republican representatives, in their official character, was unquestionably an aggressive intermeddling in the domestic affairs of the slave states, whether they so intended it or not.

They had sinned against the party programme in a way that seriously compromised not only themselves personally, but the party also. The very tone of the book was such that the whole people, so far as they had domestic peace and the continued existence of the Union at heart, were warranted in calling them to account for having thus unreservedly approved it. If the north was to be won over to views against the slave-holders in harmony with that tone, it was as inequitable as it was foolish to wish to preserve the Union under the present constitution. Whoever preached hatred of the slave-holders in this way must, in accordance with the requirements of logic, end in demanding the destruction either of the Union or of the constitution; for the slave-holders were the absolutely dominant party in the southern states, and hatred could not be the cement in the foundation of a democrative federation in which it was left to each state to determine independently for itself how it should act with respect to slavery. Perhaps hatred for slavery could not but grow ultimately into hatred for the slave-holders, if the slave-holders continued bent on the strengthening and extension of slavery. But the republican party still held the continued existence of the Union and the maintenance of the constitution to be

possible as unanimously as did the democrats of the northern states, and desired them just as honestly; and hence it was its duty to brand with the same unanimity and honesty the preaching of the gospel of hatred against slave-holders, as unpatriotic, and as an attempt against the constitution and the Union.

The affair, however, had, as already intimated, yet another side, which lent it direct, practical importance. The conservatives of the south looked upon the conduct of the New York authors of the circular and of the sixty-eight representatives who had signed it not only as an insult, but as an act of infamy. The book, therefore, served not as a wedge, but as a welding hammer, on the different groups within the slavocracy, and Helper and his republican backers had therefore only played into the hands of the radicals. This soon became plain enough; for, owing to a further lack of tact, the last of Helper's "Impending Crisis" had not yet by any means been heard of. Before we turn to this second phase of the Helper controversy, we must speak of an event of incomparably greater importance that had happened in the meantime.

The endeavor to bring the Kansas question to a standstill and to remove it from the order of the day, by English's bill, had completely failed. After the proposition of the bill had been rejected by the territory, Buchanan had recommended to congress an appropriation of money for the taking of the census on which the law had made a new effort for its admission as a state dependent. The finance committee of the senate had thereupon made a motion with respect to that appropriation which was at first adopted. Ostensibly, however, in order to avoid unpleasant controversies, this adoption was reversed, despite Pugh's warning that the refusal of an appropriation would be considered as a practical non-acceptance of the census condition. Even

while the Thirty-fifth Congress was in session this prophecy had begun to be fulfilled. By a law of the 11th of February, 1859, the territorial legislature had ordered a popular vote, on the fourth Monday in March, on the question whether the transformation of the territory into a state should be proceeded with. An overwhelming majority had answered the question in the affirmative, and, in June, a census was taken and the election of delegates to the constitutional convention was had. This census was not such an one as English's bill required, but it could be inferred with certainty from its result[1] that Kansas had the population required by law for the election of a representative. The convention met at Wyandotte on the 5th of July, and the constitution drawn up by it was approved at a popular election by 10,421 against 5,530 votes, October 4th.[2]

There was no particular excitement created by these events anywhere. The conviction now evidently prevailed on all sides that Kansas had, at last, won its cause against the slavocracy. This was unquestionably true, even if it could not be predicted how quickly the obstacles which the slavocracy would naturally still put in the way of its admission as a state could be overcome. But even if the Kansas question could be considered, in the main, as settled, the spirit which the Kansas troubles had awakened and nurtured to maturity was not, in consequence, immediately banished, nor did it die out at once. At the moment when the ratification of the Wyandotte constitution became

[1] Over 71,700. From six counties, however, no reports whatever were received, and in many other parts of the territory the census was demonstrably very incomplete. See Pendleton's data, Congr. Globe, 1st Sess., 36th Congr., p. 1645.

[2] Graw's figures, Ib., p. 1640. In the official report to congress we read, "by a majority of nearly 6,000." Ib., p. 910. The data given in the text are taken from this source. Graw's data also vary here in part.

known, its bitterest, but at the same time its most blissful, fruit was plucked on the soil of Virginia.

Since the Missouri border ruffians had ceased to be the principal champions of the slavocratic cause, and it was no longer sought to get by brute force what could be obtained by knavery and cunning, there was not much heard, outside of a small circle, of John Brown. He, however, had not thought for a moment that his work was done, because there would presumably be no further reason for him in Kansas to go about, by day and by night, through wood and plain, with his trusty gun, to play his fierce game against the propagandists of slavery. From his youth up he had had the feeling in his daily devout reading of the Bible that the words of the Holy Book in which he saw the condemnation of slavery imposed on him an entirely personal and special duty with regard to that plague-sore on the social body of the American people. His hair had begun to grow gray without this vague feeling having cleared and condensed into a definite resolve; but, notwithstanding this, it had, in all the vicissitudes and hard trials of his career, taken ever deeper root in the life of his intellect and his heart, because that life was as intense as it was narrow in its bounds. His schooling had not extended beyond the elementary branches, and he had not distinguished himself either by any great ambition or any great thirst for knowledge. As he had a clear eye and a sober, wary judgment, his travels and manifold connections with business as a sheep-raiser and wool-trader had not been useless in the general development of his mind. Fortune did not smile upon him, although he thoroughly understood his business and was thoroughly earnest in everything he took in hand. There were times when he found it difficult to procure the barest necessaries for his numerous family. But the more the vicissitudes of life assailed him the less did he set his heart on the things of this

world. He did not feel it an act of resignation and it cost him no sacrifice when, in 1849, he removed to North Elba, in Essex county, New York. Here too, in the stillness of the mighty rocks of the Adirondacks, he did not become a dreamer with back turned on the world. A typical American, from the top of his head to the sole of his foot, life and stirring industry were to him inseparable ideas, and when the whole neighborhood resounded with praise of the stock he had raised, it afforded him no less heart-felt satisfaction than the greater business success which had once seemed to him the sure beginning of the acquisition of a respectable fortune. Apart from his industry in his avocation, his family and his religion had previously constituted almost the entirety of his deeper inner life, and now, in his rural isolation, all his leisure time was devoted to them. "I and my house desire to serve the Lord." The simplicity of heart, truthfulness and Old-Testament absoluteness with which he chose this saying as the inviolable law of his entire thought and action transformed his more than plain farm-house into the cradle of a deed memorable in the history of the world. He plunged ever deeper into the Book of Books, but not as into an inexhaustible source of dogmatic subtilities. The Almighty God, whose name is Justice and Love, had not spoken to men to give them riddles to solve, but to announce to them a holy and unchangeable will, that they might do it, in thought, word and deed — in the smallest things as well as in the greatest. The scripture needed no interpretation for him. Thus it is written; act in accordance therewith, for what will it profit thee to gain the whole world and lose thy own soul? Such was the simple doctrine with which he endeavored to impregnate his family as well as himself, and which, with the ingenuousness of a child but the authority of a patriarch which could not be doubted, he gave as answer to every question which

had a place in his heart and theirs. And he was at the same time so unselfish and so true, that his wife and children soon learned to think and will precisely as he did, thorny and steep as might be the way pointed out to them by him as the path of duty.

His removal to North Elba had shown that he had the fate of the negroes as much at heart as ever, for it was connected with the philanthropic enterprise of Gerrit Smith to establish a model colony of free persons of color. It was, therefore, natural that the energetic aggressive movement of the slavocracy in the following years forced him to meditate more seriously and more self-sacrificingly on what it was God's will he should do in the matter. When, therefore, the slavocracy began to try to acquire Kansas by force, he soon and clearly saw where his place was. What he there experienced and what he there did — his way of thinking and feeling taken into consideration — made it forever impossible for him to return to his plow. After he had proved what manly courage could accomplish against the slavocracy, after his own son had fallen a victim to the Moloch of slavery, and after he had settled with his God for the terrible deed at Potawattomie,[1] his mortal hatred of slavery could not but find further expression in thought, word and deed.

[1] According to the material brought to light very recently in John Brown's history, there seems now scarcely a doubt possible that the "execution" must, after all, be traced directly to him, and that his denial of the deed can only be understood to mean that none of the unfortunates met his death at Brown's own hand. The picture drawn of his character, however, undergoes no material change on this account, for that he unreservedly approved the act has been not only conceded, as I remarked in a previous volume, by his ardent admirer, Redpath, but specially called attention to. The burin must only grave one of the principal lines more sharply and more deeply. That the whole expression of the picture becomes, in consequence, a sterner one, I, of course, do not deny, but this effect does not take place at the expense of the powerful impression it makes; rather does it increase still

A pretty dense cloud still hovers over the origin of the Harper's Ferry insurrection. Historical research will probably never be able to dissipate it entirely; for both what we know about it and about its course forces us to the conclusion that Brown himself had really never become clear in his own mind as to How he was to accomplish what he wanted, and that he had, after all, only the most general notion as to What he wanted — the freeing of the slaves. Frederick Douglas gives a detailed account of a conversa-

more the already striking resemblance to the rude greatness of many Old-Testament saints. Neither the new facts brought to light by his friends, like Sanborn (The Life and Letters of John Brown), or by his detractors, like ex-Governor Robinson, of Kansas, and Amos F. Lawrence (cfr. *The Boston Evening Transcript*, May–July, 1884, *passim*), nor the personal opinions they have expressed of him, have given me any occasion to consider the description I gave of him in the *Preussischen Jahrbüchern* (xli, pp. 350–392, American edition by Frank Preston Stearns, Boston, Cupples & Hurd, 1889) as false in any important particular, although in some minor details corrections have become necessary. The many additions that might be made to his history would only confirm what I have already said there. But it need not be wondered at if, in the next succeeding decades, very different and much more unfavorable views should find numerous representatives in the United States. Even his contemporaries, who were under the direct influence of the tragedy of Harper's Ferry, were, for the most part, entirely incapable of understanding John Brown, and only *had a feeling*, to a greater or less extent, of what was right. But for those born since his death the understanding of Brown's motives is rendered much more difficult, because they completely lack the guidance of feeling, since they know only from hearsay of the dark times when the Alp of slavocratic supremacy weighed on the intellectual and moral life of the American people; and it will, I am firmly convinced, become daily harder, I am almost tempted to say more impossible, for them to obtain a living picture of those times. But I am firmly convinced, too, that the deeper research penetrates into the history of slavery in the United States, the more strongly will it confirm the judgment passed upon John Brown by the popular instinct, when, for four terrible years, the existence of the Nation was trembling in the balance. On the Potawattomie question, see **especially** Sanborn, pp. 258–261.

tion he had with him on the project, as early as 1847, in Springfield.[1] Such an account, jotted down from memory after so many years, can, of course, have no claim to the exactness of an original document. What was then said, and what happened twelve years later, gradually became, as may be easily understood, indistinguishable in Douglas's memory. But, after this testimony, it cannot be doubted that Brown even then entertained the idea of systematically attacking the lion in his den; and the earnest following up of this idea presupposed the knowledge how seriously slavery might be injured by the simple fact that the slaveholders were deprived of the feeling of security. Whether the idea had thus early ripened to such an extent into a formal scheme, that a plan of operations with its base in the rocky regions of the border states could be drawn up, must remain undecided here. It is certainly not probable; for, considering John Brown's character, it would be difficult to explain why we hear nothing much earlier of efforts of any kind to prepare the way for the carrying out of his idea. The oldest documentary intimation of his intention that has yet been discovered is contained in a letter written in August, 1857, that is at a time when the worst period of the Kansas troubles had come to a close.[2] But at this time he was busily engaged in preparations, from which it certainly follows that he had resolved on a more persistent and systematic warfare against the slavocracy than heretofore.

In the spring he had formed a connection with one Hugh Forbes, an old Garibaldian. His demonstrative talk against all the tyrants of the world, his martial appearance, his skilful handling of the sword, and especially the excellent

[1] Life and Times, pp. 279–282.

[2] In a letter of August 17, 1857, from Tabor, Iowa, to his family, we read: "Should no disturbance occur, we may possibly think best to work back eastward; cannot determine yet." Sanborn, p. 414.

testimony he bore to his own military capacity, prepossessed Brown in his favor.[1] He engaged him, at $100 a month, as drill-master for himself and his men. That the first idea, in these military exercises, was the intention of being able to act more vigorously in case the pro-slavery party in Kansas should again venture to appeal to force, seems scarcely to admit of a question now. But the laconic announcement in the letter quoted, that, under certain circumstances, he would direct his operations towards the east, points unmistakably to the fact that, after what had happened in Kansas, he considered the cessation of the struggle impossible; if he was needed there no longer, he meant, from the start, only to infer therefrom that he would have to carry it on, on some other stage.

Hence, although the fears entertained during the first half of the year by the Free-state party, that the bloody troubles would be renewed, proved unfounded, he became more active than ever. On the 11th of September he asked Theodore Parker to procure for him five hundred or one thousand dollars for secret purposes.[2] Late in the autumn he returned from Tabor, in western Iowa, where he had spent the last months, to Kansas, and began to look about for people ready to follow him wheresoever he might lead them. As soon as he had found half a dozen from whom he believed he could expect this, he went with them to Ohio, taking with him the arms which had been placed at his disposal — of course to be used only in the territory — by the Kansas committee of the eastern states. The winter was to be spent in military exercises under a second drill-

[1] It must, however, be said, that Garibaldi expresses himself in warm terms of Forbes. He calls him: "Il prode colonello Forbes, inglese, amante della causa italiana come il primo dei noi, coraggioso ed onestissimo milite." Garibaldi, Memorie Autobiographiche, p. 241.

[2] "For secret service and no questions asked." Ib., p. 422.

master.[1] Brown himself went further east in order to procure the means for the execution of his design. The first step in this direction was the organization of a secret league, on Canadian soil. The preparations for this were made in Rochester, where he kept himself concealed in the house of Frederick Douglas. From there he visited his old patron, Gerrit Smith, in Peterboro'. On the 22d of February, 1858, he there made the latter, F. B. Sanborn and Edwin Morton acquainted with his plans. His friends were horrified, and did their best to dissuade him from his purpose. But for him there was not even a possibility of valid objections. He had made them his confidants, not in order to inquire their opinion, but to get their support. He had come not to hear but to be heard. This soon became clear to his friends, and the longer they listened to his words, the more they felt the power that lies in absolutely unshakable conviction. They were overcome not by his arguments but entirely by the force of his moral will. They were not convinced, but they believed they should not refuse his request to help him to the money he needed.

During the weeks following, Brown went through Brooklyn on a similar mission to Boston. Only few of the most trusty champions of the cause of freedom were informed of his presence, and even these were, for the most part, initiated into his plans only as far as was necessary to induce them to loosen their purse-strings. Then, after he had visited Philadelphia, in order to confer with some persons of color, whom he thought he could expect to understand and sympathize with his design, he went through Peterboro' and North Elba to Canada. In the first half of May he there held a convention, in Chatham, which

[1] The quarrel between Brown and Forbes, to which we shall hereafter refer, necessitated a change of the original plan. Springdale, Iowa, was finally chosen as the winter quarters of the little band.

adopted a provisional constitution drawn up by him, accepted him as commander-in-chief, and appointed a committee of seven whites and four colored persons to fill any offices created by the provisional constitution which might happen to become vacant. All who were oppressed were declared to have a right to the full protection of the provisional constitution, and its adoption was pleaded for on the ground that slavery was "none other than a most barbarous, unprovoked and unjustifiable war of one portion of its (the country's) citizens upon another portion," and that it was in glaring contradiction with the eternal truths proclaimed in the Declaration of Independence.

To what extent this constitution deserved the unlimited ridicule with which it was overwhelmed, after the failure of the Harper's Ferry insurrection, need not be discussed here. That constitution certainly proved that John Brown was no genius in statesmanship. Whether, notwithstanding this, it would not have answered its object very well, if that object had not miscarried at the very first step, is a different question. In the eyes of his comrades, the constitution was a binding, legal instrument, and it made him commander-in-chief; and this was the only thing that could have had any practical importance in an undertaking such as he contemplated. It must be conceded, none the less, that his want of political judgment is put in so glaring a light by no other act of his life as by the holding of the Chatham convention; and this, not so much because the contents of its constitution will not stand criticism, as because he now held such a convention at all.

It is plain that the danger would be greatly increased if the matter became known. If, therefore, he considered it necessary not only, as hitherto, to connect himself, in the deepest secrecy, with a few persons, specially worthy of confidence, but to call into existence a comprehensive organ-

ization, with a kind of governmental apparatus, he should have done so only provided he was in a condition to follow up this step immediately, by the first deed. He had not planned a revolution which would rage like a prairie fire over the entire territory of the slave states. All he had intended from the start was, with a handful of associates, to remove the first stones from the dam that held in check the deep and mighty waters, which would then, in the nature of things, cut an ever-widening path for themselves. Two weeks after the convention had adjourned (on the 25th of May) he was compelled to inform his family, from Chatham, that he was reduced to complete inaction for want of money.[1] Only a week later a friend from Ohio had to inform him that certain participants in the convention had failed in order to give themselves an air of importance to keep their own counsel.

A traitor, however, had already got the start of these babblers. The Englishman, Forbes, whose reliability had, from the first, appeared in a very doubtful light, may also have been a fanatic on freedom from conviction, but he was one mainly by profession. Instead of entering on his office as drill-master, he consumed his pay in the publication of a military manual in New York,[2] in order to serve the good cause. In August, 1857, he had, indeed, gone to Tabor, but left it again in the beginning of December. His claims, however, were in the inverse ratio of his achievements. But as Brown himself had nothing, he made a bold attempt to hold the Kansas committee of Massachusetts responsible for the fulfillment of the obligations which the former had, he claimed, entered into with

[1] "We are completely nailed down at present for want of funds; and we may be obliged to remain inactive for months yet for the same reason. You must all learn to be patient." Sanborn, p. 456.

[2] 7 Manual of the Patriotic Volunteer.

him. As, notwithstanding the scarcely vested threats with which he strewed his bitter complaint, he was not as successful in this as he desired, he began to disseminate in political circles at Washington what he himself knew of Brown's designs. Some of the friends of the latter, more or less acquainted with his plans, were, fortunately for him, in a position early to get wind enough of this to thwart the game of the traitor. Immediately after the Chatham convention, John Brown received, through them, the first information of Forbes' treason. It was accompanied by the declaration that he must postpone his undertaking a year; if none of Forbes' prophecies were fulfilled during that time, they would be forgotten in Washington as a false alarm. This was not good advice, but a command. The members of the Kansas committee had waxed warm. They called upon him to surrender the arms which they had placed at his disposal, and categorically declared that such arms should not be employed, under any circumstances, in any undertaking whatever, outside the territory. They urgently insisted that he should return to Kansas. As the other friends on whom he had counted most, like Gerrit Smith, entirely approved these views, he had, to his sorrow, to act in accordance with them, for without arms and without money he could of course accomplish nothing.

In consequence of another bloody deed, the so-called Hamilton or Trading-post murder of the 19th of May, Kansas was again in a state of the greatest excitement when Brown entered it. He held himself ready to take part in the struggle, at any moment, provided it was begun by the opposite side, but he by no means desired it.[1] The shoot-

[1] On the 20th of July, 1858, he writes from the Missouri line (Kansas side) to Sanborn: "A constant fear of new troubles seems to prevail on both sides of the line, and on both sides are companies of armed men. Any little affair may open the quarrel afresh. . . . I have concealed

ing down of white men, by one another, could be of no use to the slaves; his thoughts and endeavors were no longer directed towards making war on slave-holders, but only towards rescuing their victims from them.

Soon after this he was attacked by a violent fever, from the effects of which he suffered until into the winter. He did not allow the year to close, however, without strongly reminding friends and foes alike of his existence. During the night of the 20th of December, two little crowds of Free-state people, one of which was led by Brown, crossed the Missouri line, to free five slaves who were to be sold in a few days. As they succeeded in this without any trouble, they fell upon other plantations and carried away with them six more slaves as booty. One of the slave-holders had been shot by the other division when he attempted to offer resistance. Brown had, as he bluntly states in his own report to the New York *Tribune*,[1] given orders to his men to take everything of value with them as well as the slaves. "It is only just that the means needed to free the slaves should be taken from the unrightfully acquired wealth of the slave-holders"— such was even now the principle he openly proclaimed.

This bold blow caused great excitement throughout the entire country. Such terror prevailed among the slave-holders on the Kansas border that it was stated by many that a growing movement was noticeable among them to sell their slaves or to remove with them into safer places. If this were true, it was evidently based upon the fear that

the fact of my presence pretty much, lest it should tend to create excitement; but it is getting leaked out, and will soon be known to all. As I am not here to seek or secure revenge, I do not mean to be the first to reopen the quarrel. How soon it may be raised against me I cannot say; nor am I over-anxious. A portion of my men are in other neighborhoods." Sanborn, p. 475.

[1] Printed in Sanborn, pp. 481–483.

success might provoke an attempt to introduce system, on the borders, into this new mode of warfare against slavery. We know already that this anxiety was not only well founded, but that it was rather considerably less than there was good reason for. Brown's resolution had long since been irrevocably formed, and it was directed towards something far greater than stealing occasionally over the border, in the darkness of the night, to carry off a few slaves, and transport them, by the underground railway, to Canada. Only, it was not on the slave-holders of Missouri that he intended to try first the efficacy of his specific against the poisonous cancer of slavery. On the 2d of December he had written to his children in Ohio: "Am still preparing for my other journey," and the unpremeditated episode of the attack of the 20th of December[1] caused no change in his preparations.

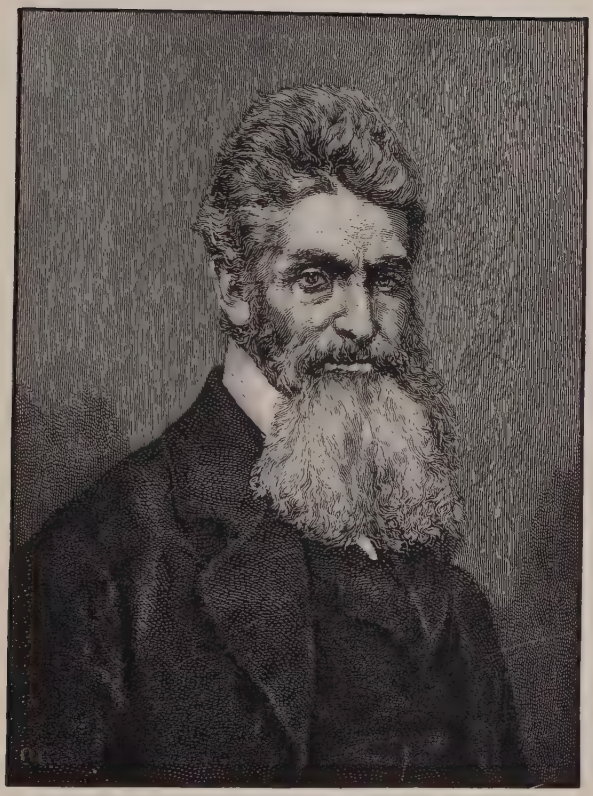
His family knew exactly what he meant by "another journey." He had long been firmly resolved to begin, in Virginia, the war he wanted to wage against slavery. Virginia was the mother of American slavery, and public opinion still looked upon her, to a certain extent, as the leading state of the whole south. What had appeared as mere advance-post skirmishing on the Kansas border of Missouri assumed here the character of a storming of the enemy's citadel. Every success achieved here would have a hundred times more weight by the impression it would make in the two halves of the country. Moreover, Brown was convinced that he could count more confidently here than in any other place on thorough success. He thought he had found in the mountains a strategic base of incalculable strength for the operations he had planned, and the multitude of slaves afforded him, in his opinion, a sufficient guar-

[1] One of the five slaves who were to have been sold had come over to Kansas, and had begged the Free-state people for help.

anty that he would not have to seek in vain for strong hands, in sufficient numbers, into which he might place the arms he had brought with him. The self-evident conclusion that he would have not only to cope with the local forces, but that immediate and vigorous interference, both by the state and by the federal government, was certain, because such an onslaught on slavery in Virginia would be looked upon by them as an attack on slavery in general, was not drawn by this man who otherwise calculated so soberly and judged so warily. His only care was how to procure the money he needed; although there was question of scarcely any more than could be obtained any day, in the south, for a plantation negro of the first class. His old friends in the east had not, indeed, withdrawn their assistance from him, but the anxious days they had passed on account of Forbes' treachery had cooled their ardor and made them much more cautious in their relations with him. Even Gerrit Smith had written on the 26th of July, 1858, that he would certainly not close his purse to him in the future any more than in the past, but added: "I do not wish to know Captain Brown's plans; I hope he will keep them to himself."

It was the end of June before Brown had so far mastered all the difficulties in his way that he could start with his two sons, Owen and Oliver, and one Anderson, for the scene of action. He assumed the name of Smith, passed himself off as a farmer who intended to buy in the neighborhood, and leased a vacant out-of-the-way farm building near Harper's Ferry. The little place is situated on the Maryland border at the confluence of the Potomac and the Shenandoah, and was specially important on account of the United States arsenal located there.

No unfortunate accident interrupted the preparations on the Kennedy farm. Although it was noticed that its ten-



JOHN BROWN

ants employed their time in a manner scarcely in harmony with the intention they had expressed of settling there, the suspicion of their neighbors was not yet aroused. The entire and rather large stock of arms was carried gradually and successfully to the place and securely hidden. Brown's expected comrades also had arrived without attracting any great attention. But now, at the very last moment, everything was again put in doubt. Not until it was absolutely necessary to inform them of it did Brown tell his comrades that the first blow would be struck against Harper's Ferry. They well knew that they had taken their lives in their hands when they joined him, but such foolhardiness exceeded even what they had deemed possible. They remonstrated so strongly that Brown resigned the commandership-in-chief with the declaration that he could not undertake the responsibility for the abandonment of the undertaking, but would willingly subordinate himself to another leader. The choice of another leader, however, was so evidently synonymous with the abandonment of the whole affair that they re-elected him with the promise of obeying his commands without contradiction.

With twenty-two men, six of whom were colored, Brown began his war of extermination against slavery. The little host set out from the Kennedy farm in the evening of the 17th of October. No one met them on the fatal road, for it was Sunday, and the night was dark and cheerless. Telegraphic connection was destroyed; the watchman on the railroad bridge over the stream taken prisoner before he could give an alarm; the gate to the courtyard of the arsenal broken in, and the guard there also overpowered. Scouting parties sent in different directions brought in prisoners as hostages. The number of the latter finally exceeded that of their captors, in the arsenal. So far, everything had succeeded wonderfully well. By mid-

night the place, whose inhabitants had no suspicion of what was going on, was completely in Brown's power, without a drop of blood having been shed or even a shot fired. But what was gained by all that? Like the man in the fable, Brown had caught the wolf by the ears.

When the railway train coming from the west did not receive the customary signal, a porter from one of the cars was sent out to look for the watchman. The sentinel left behind by Brown challenged the man, and shot him down when he refused to obey the command to halt. The first blood shed by these freers of the slaves was the blood of a colored man. This was an evil omen.

After a while Brown allowed the train to continue its journey. He himself guided it over the bridge, because the train-conductor suspected that it had been destroyed. In this way the cutting of the telegraph wires was rendered useless, for, in from two to three hours, at most, the news of the occurrence had reached Washington. Endeavors have been made to show that this step was an inconceivable act of imprudence on the part of Brown. He is said to have stated himself that he was induced to take it by the prayers of the travelers; he did not want to prolong the anxiety of their families. The dreadful judge and avenger of Pottawattomie had, indeed, so tender and childlike a heart that such a sentimental consideration might have the greatest weight with him. But we may characterize it as at least questionable whether he would have been guided by it, in this case, if his judgment had not been in accordance with his feeling. A messenger on horseback carrying a dispatch to the nearest telegraph station could send the news to Washington just as quickly as it could be carried by a railway train, and a further increase of the number of his prisoners was therefore worse than useless to him. The decision to allow the train to continue its journey was an

admission that he could not advance any further, and he could not take more because the slaves remained entirely quiet; not even one of them betrayed the slightest inclination to join him. It was so plain that in consequence of this nothing more was to be gained, that several of his comrades earnestly advised him to vacate the place, so long as it was in his power to do so. It may well be assumed that if he had followed this advice he could have saved his own life and that of his men. But would this not also have been the abandonment of the whole undertaking for which he had toiled so long with unbounded devotion? He had indeed informed Colonel Washington, who had been captured by his men, that he intended to exchange him and his fellow-prisoners for slaves. It, however, is certainly not probable that this condition would have been accepted, even if he had reached a skulking-hole in the mountains with his prisoners, for the families of the latter would have considered it impossible that he would dare to do them any harm; and even if they wanted to accept his condition, it would scarcely have been suffered by the rest of the population and by the official authorities. But supposing he had received a slave in exchange for every prisoner, the most he could do would have been to convey them safely to Canada, as he had the freed men of the 20th of December. This would have ended his game, and he would have been himself the first to complain bitterly that only a mouse was born after all the throes of the laboring mountain. It was folly from the first to consider it possible that he could, without the excitement of a general insurrection of the slaves, gather about him such a force that he could not only maintain himself permanently in the mountains, but continue to act on the offensive with success — keeping with him only the most resolute men capable of bearing arms, and assigning all the others to the service of the

"underground railroad," to assist in transportation,[1] and it was ten times greater folly now to cling to this plan for even a moment, and not solely because the reinforcements received would have added to his handful of men only a second handful, but, above all things, because these people would have been in every case selected for him by the slave-holders themselves. On the other hand, it was clear as the noonday sun that to remain in Harper's Ferry meant inevitable ruin. It seems inconceivable that Brown did not recognize this as well as his associates. The question, therefore, forces itself on us, why, notwithstanding, he rejected their advice.

Sanborn relates that Brown subsequently, for the first time in his life, accused himself of having lost his self-command. This confession points directly to the only satisfactory explanation that can be found. This stroke of his had not broken the chains of a single slave, but it had rent the veil that had hitherto hung over his eyes. Brown not only saw, like his associates, that the success achieved could not be maintained, but he also felt that no advantage could be derived from it, and that with this false blow his whole undertaking had failed. This it was that deprived him of his self-command and made him irresolute. The former consideration urged him to withdraw, the latter fettered his feet. There is nothing to show that in the struggle of these conflicting feelings he had even now gone so far as to reach the clear idea and conscious resolve rather to perish in his impossible undertaking than by abandoning it to pay the ransom of his own life and the life of his men. He wavered only until no choice was left him. But, when

[1] That, at least, seems to have been his intention. The principal reason why nothing more definite can be said on the matter is, as has been already remarked, unquestionably, that he had not himself gotten beyond vague, general ideas.

retreat had become impossible, he ceased to waver and immediately recovered, to the fullest extent, the clearness of his mind and the unbreakable energy of his will; overpowered and brought to the ground he indeed might be,—but stretch out his arms to the jailer that he might be handcuffed,—never! What he had presumed to attempt might be impossible, but it was not wrong. He was not the evil-doer, but those who placed themselves as an obstacle in his way, wickedly trampling the command of the Eternal God under foot. This genuine scion of the old Puritan race had for years pressed forward over bloody thorns without his eyelids quivering, until his whole intellectual and moral being became completely absorbed in this conviction; he could only live up to it in dreadful earnestness, or die for it with an earnestness equally terrible: there was no third way open to him; and what would have otherwise been the crazy undertaking of a lunatic became by this fact a mighty deed in the history of the world.

Motionless, astonishment and blind terror had held the inhabitants of the place, as if spell-bound, for a while. Gradually, however, they surveyed the situation far enough to enable them to proceed to the attack themselves. Brown had widely scattered his little band in order to keep all seemingly important points in his power. But two or three men who might have sufficed for a surprise, could not, of course, offer a successful resistance. In a short time, all the men, at the different outposts, were either shot or taken prisoner. Brown himself with his main force and the prisoners, who were treated with the greatest consideration, had withdrawn into the engine-house, and had barricaded it as well as possible. He absolutely rejected the repeated summons to surrender. An active firing was kept up on both sides the whole day. It is a remarkable fact that none of

the prisoners were wounded, but the number of the defenders of the engine-house grew less and less. When one of his sons fell mortally wounded near him, Brown, as he closed his eyes, said to one of the prisoners: "This is the third son I have lost in this cause." In the evening, Colonel Robert E. Lee arrived from Washington with a division of marines. He, too, first invited Brown to throw himself on the mercy of the government and lay down his arms. Brown answered that the mercy of the government was a rope for himself and his comrades, and that he preferred to die on the spot. It needed but little, and that would have happened; and, if it had happened, then the powerful effect would have been lost which was destined to be exercised by the motives and character of the man. When the door of the engine-house was broken down by the troops running a ladder against it, Brown cried out to them that he would offer no further resistance. But a lieutenant by the name of Green ran his sword into Brown's body, and then, in a blind rage, dealt the unarmed man lying on the ground several heavy blows on the head.

The first impression made by the news of these doings in both north and south may be described only as a sensation mixed with vague terror. Absolute and indignant condemnation was universal, but beyond this to form any opinion immediately was impossible: the event was too inconceivably monstrous. Was Brown a lunatic, whose proper place was in a madhouse? a fanatic made so by a thirst for revenge carried even beyond the verge of rage? or a bush-whacker grown savage even to homicidal mania by the bloody border troubles, and whose foolhardiness was fully equal to his atrocity? In the most varicolored confusion, and with every degree of emphasis, all these different characters were imputed to him at one and the same time. Many a republican journalist and politician strove

to be no less sparing than his democratic colleagues in the employment of the most glaring colors, in order to nullify the endeavors that were making to burden the republican party with this border ruffian.[1] A damper, however, was immediately put upon this wild abuse by men from whom such action was least expected.

Both Senator Mason, whom Vallandingham, of Ohio, had joined, and Governor Wise, of Virginia, had immediately hastened to Harper's Ferry, and had subjected Brown to a kind of informal examination. This much was entirely clear from the exhaustive reports published of these conversations, that the affair would create a sensation all the more astounding the more completely and clearly it was laid before the public in the judicial after-play. In contrast with so many northern journalists, and to some extent with Vallandingham, the two Virginians proved themselves perfect gentlemen on this occasion. Neither the subject-matter nor the manner of their questions could either irritate or insult the prisoner, who was severely wounded and suffering violent pain. His answers were given in the same dignified and measured tone, and with the utmost frankness. With calm decision he refused to give any information that might compromise others. Concerning his own motives and objects, on the other hand, he kept nothing back, meeting every question without the slightest passion, equally free from bold defiance as from weak anxiety. Neither in the matter nor the form of his answers could the slightest trace of any selfish motive or of mental intoxication be discovered. It was unmistakable, not only that he had acted after the calmest and most mature reflec-

[1] The following example will suffice as a proof of this. The *Independent* represented in the slavery question the most radical views to be found in the republican party, and in its number of October 20th it calls Brown "a lawless brigand."

tion, but that he had believed he was fulfilling an imperative duty; for the full knowledge that, by the unfortunate issue of his attack, he was condemned to inevitable death by the hangman's hand, left his thought and feeling completely unruffled. He might be a fanatic, but not a word passed his lips from which it could be inferred that he was a visionary; and to suppose that he was a criminal was simply foolish, if the word implied anything of moral depravity. His sober consciousness of his aim; unbending energy; deep, earnest religiousness, and a truthfulness inaccessible to temptation, were revealed in this first examination with such convincing naturalness that Governor Wise could not help, in the description he gave of his character before a public meeting, to call marked attention to them, although he in the same breath called him vain and garrulous.

So far as this testimony was favorable to Brown, it was impossible to object to it. But it was just as impossible to believe it, without asking one's self the question: what could have led a man with such a character to do an act which, according to the law, must be expiated on the gallows? Whoever had reason to recoil from seeking earnestly and honestly for the right answer to this question might be satisfied with the word "fanatic;" but that word explains nothing to him who really wanted to find a solution of the problem. On the other hand, the demeanor of those who acted as if their angry condemnation alike of the doer and the deed had an unassailable foundation in that word, pointed so clearly to the only explanation discoverable, that even the most unwilling were not able to close their eyes to it.

Among all the judgments passed under the immediate impression of the first news of the doings at Harper's Ferry, scarcely a dozen could have been found in which Brown's

sanity had not been called in question in a more or less emphatic way. The act was as unanimously declared as senseless as it was blamable.[1] Yet people in Virginia acted as if a powerful, hostile army had broken into the country; and, in all the other southern states, an excitement prevailed that was simply inconceivable, if one had in mind only the importance of the event itself. The New York *Tribune* wrote: The sham democracy may not admit "that the federal executive and those of Virginia and Maryland have been frightened half out of their wits by a madman and a platoon of followers. Already the bulletins of the war exceed in length and ponderousness those of the war of the Greeks against Xerxes, and still the telegraphic wires groan with further details." Horace Greeley's paper was certainly no classic witness in such a question, but in this description it had been scarcely guilty of exaggeration. The state authorities of Virginia thought it incumbent on them to take such comprehensive measures, in order to be able to hang Brown and his associates with safety, that the expenditure growing out of the Harper's Ferry insurrection, according to official data, swelled to $185,667.[2]

Governor Wise informed the president on the 25th of November that he had reliable information of a powerful conspiracy, extending over several states, to free the prisoners by force. In order to prevent this, he had already placed one thousand men under arms, and if necessary would call out the whole armed force of the state. If a new invasion of the state took place, he would, notwithstanding

[1] It was so declared by the radical republican papers as emphatically as by the organs of the southern Fire-eaters. Thus it is called, in the article already quoted from the *Independent* of October 20, "in every point of view, the height of madness;" and it was added that even if it were "part of a widespread scheme of insurrection," it would still be "both foolish and criminal."

[2] The *Independent*, March 8, 1860.

his peaceable intentions, pursue the evil-doers wherever the armed force of the state could penetrate. He communicated these facts to the president that he might take steps to preserve the peace between the states.[1] To this Buchanan answered, that the constitution did not authorize him to interfere in the manner referred to. But, on the other hand, it was both his duty and his right to care for the security of federal property. Hence he had already ordered two companies of artillery to be sent from Fortress Monroe to protect the arsenal at Harper's Ferry.[2] This half-refusal was accompanied by the expression of the "hope" that the "energetic measures" already taken by the governor would prove sufficient

[1] The letter is so characteristic that I feel called upon to quote it entire:

"*Sir:* I have information from various quarters, upon which I rely, that a conspiracy, of formidable extent in means and numbers, is formed in Ohio, Pennsylvania, New York, and other states, to rescue John Brown and his associates, prisoners at Charlestown, Virginia. The information is specific enough to be reliable. It convinces me that an attempt will be made to rescue the prisoners; and if that fails, to seize citizens of this state as hostages and victims in case of execution. The execution will take place next Friday, as certain as Virginia can and will enforce her laws. I have been obliged to call out one thousand men, who are now under arms, and if necessary shall call out the whole available force of the state to carry into effect the sentence of our laws on the 2d and 16th proximo. Places in Maryland, Ohio and Pennsylvania have been occupied as depots and rendezvous by these desperadoes, unobstructed by guards or otherwise, to invade this state; and we are kept in continual apprehension of outrages from fire and rapine on our borders. I apprise you of these facts in order that you may take steps to preserve peace between the states. I protest that my purpose is peaceful, and that I disclaim all threats when I say, with all the might of meaning, that if another invasion assails this state or its citizens, from any quarter, I will pursue the invaders wherever they may go, into any territory, and punish them wherever arms can reach them. I shall send copies of this to the governors of Maryland, Ohio and Pennsylvania." Congr. Gl., 1st Sess., 36th Congr., p. 589.

[2] This letter also is published in full in the *Congressional Globe.*

"for any emergency." Wise, therefore, showed himself equal to the difficult and responsible task of saving the state from the specters of its imagination, without any further assistance from the federal government. The public were informed by a proclamation that the state would take possession of the Winchester & Potomac Railway, for military purposes, during the first three days of December. The people were invited to stay at home on the 2d of December, the day of the execution, to protect their property and to act as a patrol; if it appeared necessary, a state of siege would be declared. A proclamation by General Taliaferro, further threatened with arrest all strangers who could not give a satisfactory account of themselves. Railway travelers were required to provide themselves with passes from Governor Wise. Two twelve-pounders were mounted before the jail and a third covered the street to the gallows, which the crowd attracted by the ghastly spectacle could gape at only from a considerable distance, because the militia required for its protection, as the reporters of the newspapers stated, was numbered by thousands. These were only the measures Wise had considered necessary in order that Brown might not be snatched from the hands of the hangman. To prevent similar attempts in the future, or to meet them in a proper way, his message asked: 1. The formation and maintenance of an army of the southern states. 2. The passage of penal laws in the northern states against all agitation for the abolition of slavery, and, if need be, for the interference of the military power. 3. Measures of the president for the safety of the places in the contiguous states which might be used by "desperadoes" as rendezvouses for an invasion.[1]

How could all this be made to agree with the fact that Brown's undertaking was unanimously considered by the entire people so senseless that they could not consider him

[1] The *Independent*, December 15, 1859.

sane? The contradiction was so plain that it could not be overlooked, and as soon as the question had been asked people began, in the south as well as in the north, to become conscious how essential to the proper judgment of the whole affair the answer to it was. Wise's course by no means met with undivided approval in the south. He was told even in his own state that he had immeasurably exaggerated the matter in order to recommend himself to the democratic national convention as a presidential candidate. The Wheeling *Intelligencer*, which made this charge against him, was, however, just enough not to place all the responsibility on him. It reproached the politicians in general with wanting to use the Harper's Ferry riot as a "trump card."[1]

That this assertion was well grounded is self-evident. The politicians, indeed, must have been stricken with complete blindness not to see what a high trump card Brown had placed in their hands, and as politicians they should not at all have refused to use it, even if, as men, they had been willing and able to impose such a sacrifice upon themselves. Yet it was a trump, the right employment of which required very skilful players; but Wise had proven himself a bad botcher, and the masses of the southern politicians had, in the first heat of passion, followed him on the wrong road. Instead of helping the slavocratic cause they seriously injured it, because, in their indiscreet zeal, they had tried to make too much out of the trump. It was precisely the slavocratic extremists who accused them of this with the greatest vehemence. The Charleston *Mercury* called Wise's conduct

[1] "The truth, as we read it, and we think it as visible as the sun in the heavens, is just this: This whole matter is in the hands of politicians. They are working it as a trump card, and they will work it until after the New York election. Governor Wise, everybody knows, has an ax to grind, and he is not the man to lose such a chance as this Harper's Ferry riot." Copied in the New York *Tribune* of October 31.

a broad, pathetic farce, and bitterly and angrily complained that the south was made ridiculous in such a way before its own eyes and the eyes of the world.[1]

But the mischief that had been done could not be remedied by this. Even if the republicans had been stupid enough not to see what an exposition had been made of the south by its politicians, they would have been forced now to subject the whole matter to a more searching examination from this point of view. And in that examination they did not, of course, stop at the point up to which the Charleston *Mercury* had gone. If the demeanor of Wise and of the politicians who had chosen him as their model in the premises had been only ridiculous, the censure of it would also have been less severe; for it would have been charged by public opinion mainly to their personal account. The south had been seriously compromised by the fact that their conduct was a frightful confession of weakness,[2] even supposing that all these ridiculous exaggera-

[1] "We are satisfied that every intelligent man in the south has been completely disgusted at the broad and pathetic farce that has been played off before the public about the hanging of that hoary villain, 'Old Brown.' From the five hundred invaders in possession of Harper's Ferry, and the one thousand negroes carried off to the mountains of Pennsylvania — from the further invasions and threats of invasion — the arsons and fears of arson — the marches and countermarches of the ponies and cessations of ponies — Governor Wise, the energetic, and his troops, down to the final climax of military aid offered by Governor Gist, of South Carolina, to the governor of Virginia, for the purpose of making certain the aforesaid hanging of Old Brown & Co.,— it is a tissue of disgrace, exaggeration and invention sufficient to stir the gall of any southerner who has regard for the dignity and responsibility of the southern people. We sincerely trust that our legislature, which meets to-day, will bear this in mind, and take no action whatever in regard to ourselves or our institution that may even have the appearance of being prompted by the Virginia farce and its terrorism." Congr. Gl., 1st Sess., 36th Congr., p. 65.

[2] Gilbert Haven said, in a sermon entitled "The Beginning of the

tions could be traced to selfish motives or ill-advised party zeal. They had exaggerated, but only exaggerated. That terror had stalked through the length and breadth of the south could not be argued away, and the thing on which so glaring a light had been cast by that terror could not now be covered up by the scathing denunciations of those exaggerations. The stroke had been dealt by not quite two dozen men; the whole south had immediately called it a madman's blow; and it was a blow in the air, to the extent that not a single slave had lifted his hand to strike for his freedom; and yet the news of the occurrence had made the blood rush back to the hearts of these millions, who, in personal courage, stood second to no people on earth, as quickly as would the sudden appearance of some monstrous danger. Such an effect from such a cause can be explained only on the supposition that John Brown's act had sounded an alarm in every conscience that awakened it from its sleep.[1] The first direct impression had not corresponded with what had really happened, but had been governed by the threatening specters of the possibilities, which the instinctive stirring of the consciousness of guilt had conjured

End of American Slavery," preached in Cambridge on the 6th of November, 1859:

"How can this brief and apparently unsuccessful act be considered as the beginning of that long-prayed for,— we can hardly say, long-looked for hour,— the Death of Slavery? For two reasons:

"First. It has taught the slave power its weakness. Never has such trembling shaken their knees before. Never has such a thrill of horror made so many great states to quake. Over fifteen states, over a million of square miles, there has run one feeling, one fear, one Belshazzar sense of awful guilt and awful weakness and awful punishment." Redpath, Echoes of Harper's Ferry, pp. 129, 130.

[1] Wendell Phillips, in a speech entitled "The Lesson of the Hour," delivered in Brooklyn on the 1st of November, 1859, said: "Virginia did not tremble at an old, gray-headed man at Harper's Ferry: they trembled at a John Brown in every man's own conscience." Ib., p. 56.

up in unintelligible vagueness. The surprise had, for a moment, not allowed sober consideration to get the better of dismay and consternation, and the south had thereby convicted itself, in the most striking manner, of the grossest self-delusion in regard to the "peculiar institution;" its momentary involuntary terror was an annihilating condemnation of that institution, and all the more annihilating for the very reason that the slaves had kept entirely quiet. If *that* was, as the south claimed, the consequence of complete satisfaction with their lot, then the institution must have been all the more objectionable; for the terror of the south was, in that case, an admission that only glowing lava, under a very thin crust, was the foundation of the society built upon it,— even when tenderness, benevolence and patriarchal solicitude were so general, in the relation between masters and slaves, that the latter were inaccessible to the most powerful temptations to produce a change in their destiny. The more honorable the testimony that could be inferred from Brown's complete failure in favor of the slave-holders, the severer was the sentence of condemnation passed upon slavery by the south, by the frightful start the Harper's Ferry riot had given it.

The number of those who learned to understand this, and to appreciate its full meaning, grew daily in the north. But to whomsoever understood it, the gallows on which Brown was hanged appeared, immediately and necessarily, in a very different light. Brown had to be hanged: the law required it, and the law was undoubtedly in harmony with state reason. Slavery had not only a legal existence, but was the actual foundation of the whole social life of the south; and it was, therefore, an imperative demand of the self-preservation of the slavocracy to punish such an attempt with death. But was the moral warrant to hang Brown quite as defensible, when, in the dreadful fright his act

had caused, the confession lay, that the view of the nature of slavery which impelled him to commit it had a foundation in fact? The law of the state and reasons of state required that that should be atoned for with blood, which could not only not be objected to before the tribunal of morals, but which deserved approval. Yet passionately and bitterly as the slavocracy had denounced the doctrine of the "higher law," their most celebrated spokesmen, like Stephens and Calhoun, had unreservedly expressed their conviction that the settlement of the slavery question would and must depend, in the end, on whether slavery could exist before the tribunal of morals. Not, hereafter, on the day of judgment, therefore, and by the omniscient God, the searcher of all hearts, but now, and on this earth, had a higher court to pronounce judgment on Brown and his act, and the judgment it pronounced on them was a moral reversal of the legal death-sentence of the Virginia court. The criminal necessarily became a martyr, in public opinion, the moment the nation was forced to proceed to the solution of the problem of slavery.

The most manifest proof that the time was near at hand when this would happen was Brown's act. The irrepressibility of the conflict could not be placed in a more glaring light. By means of that scaffold — the first erected in the United States for a traitor, and, indeed, for a political criminal — the words: He who is not for me is against me, and he who is not against me is for me — grew to the fullness of truth. Precisely because it was conceded, almost without contradiction, that the legal existence of slavery had made Brown's execution a necessity,[1] people could not

[1] The *Independent* (November 24), indeed, wrote: "In permitting the sentence of death to take effect, Governor Wise will act against the unanimous sentiment of the north. We say unanimous, for after all our reading and inquiry on the subject, we have been able to learn of but

help having, universally, a certain feeling of responsibility for it; since not the south alone, but the entire people, bore, before God and man, the responsibility for the legal existence of slavery. Hence, if not loudly, at least irrepressibly, the voice of conscience, in numberless breasts, demanded an answer to the question, whether that scaffold was a tree of malediction and ignominy for the man who had to breathe out his life upon it, or not, rather, for the people who were compelled by their institutions to erect it.

Brown's conduct, from the moment of his arrest until his latest breath, irresistibly forced new multitudes, every day, to ask themselves this question, with the honesty and earnestness which its dreadful importance demanded, and the number of those from whom it wrested the right answer, and who had the courage publicly to confess to it, swelled

one man who thinks that John Brown ought to be hung; that man is the editor of the New York *Observer*, who after even such men as the editors of the *Herald* and the *Journal of Commerce* have endeavored, from motives of expediency, to stay Brown's execution, still clamors for it, as with the conscience of an inquisitor." Even if this were a gross exaggeration, it was not destitute of all foundation in fact. But it is only in seeming conflict with what is said in the text. People would have been glad if the sentence of death had not been executed here, because they, like John A. Andrew, were of the opinion that "whatever may be thought of John Brown's acts, John Brown himself was right," and there, because they did not wish to see the dissension between the north and the south intensified, which, by reason of this view, was an inevitable consequence of the execution. But neither here nor there did people for a moment fall into the delusion of believing that the fulfillment of the wish was possible. They could not help admitting that other considerations had to be decisive, with the Virginia authorities, whose exclusive jurisdiction could not be contested, either on the ground of justice or of positive law, and that these considerations left them no other choice. What, so far as the form was concerned, appeared largely as advice, or even as a demand, was, therefore, essentially only a wish entertained against better knowledge, and in that wish the self-contradiction in which the judgment based on opposite premises was involved was clearly visible.

to ever greater proportions.[1] The attack he and his twenty comrades had made on slavery, with powder and lead, was a sublime piece of folly; but the manner in which he bore the consequences of his act was simply sublime, without

[1] Garrison, who as a non-resistant, notwithstanding his recognition of Brown's motives, could not approve his act, exclaimed: "The sympathy and admiration now so widely felt for him prove how marvelous has been the change effected in public opinion during thirty years of moral agitation — a change so great, indeed, that whereas ten years since there were thousands who could not endure my lightest word of rebuke of the south, they can now easily swallow John Brown whole, and his rifle into the bargain. In firing his gun he has merely told us what time of day it is. It is high noon, thank God!" W. L. Garrison, The Story of His Life Told by His Children, III, p. 493. Garrison himself is one of the most eloquent proofs of the clearing effect of that gunshot. He now found the arguments by which the doctrine suited to the ideal state in the clouds might be harmonized with the action suited to the conditions of real life. He had recently exhorted the abolitionists: "I believe in the spirit of peace, and in sole and absolute reliance on truth and the application of it to the hearts and consciences of the people. I do not believe that the weapons of liberty ever have been, or ever can be, the weapons of despotism. I know that those of despotism are the sword, the revolver, the cannon, the bomb-shell; and therefore the weapons to which tyrants cling, and upon which they depend, are not the weapons for me as a friend of liberty. . . . I pray you, abolitionists, still to adhere to that truth. . . . Perhaps blood will flow — God knows, I do not; but it shall not flow through any counsel of mine. Much as I detest the oppression exercised by the southern slave-holder, he is a man, sacred before me. He is a man, not to be harmed by my hand nor with my consent. He is a man, who is grievously and wickedly trampling upon the rights of his fellow-man; but all I have to do with him is to rebuke his sin, to call him to repentance, to leave him without excuse for his tyranny. . . . I have no other weapon to wield against him but the simple truth of God." Now he says: "I am a non-resistant; . . . yet, as a peace man — an 'ultra' peace man — I am prepared to say: 'Success to every slave insurrection at the south and in every slave country.' And I do not see how I compromise or stain my peace profession in making that declaration. Whenever there is a contest between the oppressed and the oppressor,— the weapons being equal between the parties,— God knows

the slightest admixture of folly. The fear with which his lawless violence had inspired the south was groundless; but the slavocracy had no arms, offensive or defensive, against John Brown, overpowered, mortally wounded and hanged. Even in his boldest dreams, he had never ventured to hope that he would be able to deal slavery a blow of such destructive force as he had now dealt it, by his suffering and his death. This fact became clearer every day to his mental vision, and hence, he bowed with greater cheerfulness and gratitude to God's decree, the nearer the hour of his death approached.[1] And, in his letters, he knew how to express

that my heart must be with the oppressed and always against the oppressor. Therefore, whenever commenced, I cannot but wish success to all slave insurrections. I thank God when men who believe in the right and duty of wielding carnal weapons are so far advanced that they will take those weapons out of the scale of despotism and throw them into the scale of freedom. It is an indication of progress and a positive moral growth; it is one way to get up to the sublime platform of non-resistance; and it is God's method of dealing retribution upon the head of the tyrant. Rather than see men wearing their chains in a cowardly and servile spirit, I would, as an advocate of peace, much rather see them breaking the head of the tyrant with their chains." Ib., III, pp. 473, 474, 491, 492.

[1] As early as February 24, 1858, he had written full of presentiment to Sanborn: "I expect nothing but to 'endure hardness,' but I expect to effect a mighty conquest even though it be like the last victory of Samson." To his brother Jeremiah he writes on the 12th of November, 1859: "I am gaining in health slowly, and am quite cheerful in view of my approaching end,— being fully persuaded that I am worth inconceivably more to hang than for any other purpose." He closes the letter to his sisters, dated November 27, 1859, in which he bade them farewell, with the words: "Say to all my friends that I am waiting cheerfully and patiently the days of my appointed time; fully believing that for me now to die will be to me an infinite gain and of untold benefit to the cause we love. Wherefore, 'be of good cheer,' and 'let not your hearts be troubled.' 'To him that overcometh will I grant to sit with me in my throne, even as I also overcame and am set down with my father in his throne.' I wish my friends could know but a little of the rare opportunities I now get for kind and faithful labor in

the conviction that God, in His wisdom and mercy, had allowed him to reap infinitely better than he had sown, with such captivating simplicity of heart and persuasive artlessness, that even his bitterest enemies could do no better than take refuge behind the word "fanatic," because it was impossible to doubt his absolute veracity. If he had been playing a part, he would have failed in the consistency of his acts on some occasion. But he was always the same John Brown. Not a particle of the sentimentality of the lamb brought to the slaughter, of the self-contemplation of the saint, or the presumptuous defiance of the great man. Whether he gave utterance to grief at the death of his sons, or inquired how the work on his farm was getting on,— whether he consoled his wife and children and exhorted them to be strong, or refused the ministrations of slave-holding clergymen, because, in his eyes, they were not Christians, — whether he did justice to his judges for the manner in which they had presided during his trial,[1] and cordially thanked his keepers for all the kindness they had shown him, or from being the accused made himself the judge, and branded the law of his judges as a hellish perversion of justice, for on them lay the sin they accused him of, and whose wages was death,— whether he begged his friends to take care of his family in their pinching

God's cause. I hope they have not been entirely lost." And in the last letter (November 30) to his family, we read: "I am waiting the hour of my public murder with great composure of mind and cheerfulness; feeling the strong assurance that in no other possible way could I be used to so much advantage to the cause of God and of humanity, and that nothing that either I or all my family have sacrificed or suffered will be lost. . . . I have now no doubt but that our seeming disaster will ultimately result in the most glorious success." Sanborn, The Life and Letters of John Brown, pp. 444, 588, 608, 609, 613.

[1] "I fell entirely satisfied with the treatment I have received on my trial; considering all the circumstances, it has been more generous than I expected."

poverty, wrote his last will, admired the beauty of the landscape on his way to the scaffold, or exhorted his loved ones not to consider it a disgrace to them that he had died on the gallows, and praised God that from the seed of his death a rich harvest would yet spring up for the poorest of men formed in His image, and for the whole country,— he was always the same "old John Brown" he had been when he emigrated to North Elba. The ingenuous naturalness and plain straightforwardness of the man of the people, admirably melted into a harmonious whole, with the unstudied dignity and tender feeling of the born gentleman,— the most homely realism with great, ideal loftiness of soul,— touching modesty with absolute self-reliance and blunt intolerance,— Puritanic strictness, nay harshness, with almost womanly tenderness and consideration,— boundless devotion and self-sacrifice with a complete incapacity to understand opinions and convictions different from his own,— the most implicit faith, confidence in God and resignation to His will, with the most unconquerable and imperious impulse to make the altogether too slowly grinding wheels of His mill revolve more quickly, and never experiencing the least qualm of conscience, because, in order to produce that desired effect, he poured blood, not oil, upon their axles, and endeavored to grind between them the principle of supremacy of the law, that corner-stone of all moral, political and social life.

Where feeling was too dull to allow immmediately an understanding of the real greatness of this wonderful and complex character, the powerful grasp with which the imagination seized it came to the rescue. The number of eyes in which the stature of the man grew to mighty proportions increased rapidly.[1] The highly-strained self-conscious-

[1] The *Independent* wrote on the 8th of December, 1859: "No man has ever produced upon this nation so profound an impression for moral heroism. He made this impression at the first, but every act he

ness produced by republican institutions and the peculiar demands of a social life growing with dizzying haste, and the abrupt changes so frequently met with in it, have made the Americans more sensitive than any other civilized people to the attractiveness of a courage raised to the height of daring. Even when the moral blameworthiness of the manner in which it manifests itself is plain and undoubted, they yield only too frequently to its charm. In the very circles, therefore, in which only a "damned nigger" was seen in a slave, people could not refrain from according a certain admiration to John Brown.[1] And even among them, to a great extent, there was a lively feeling, that moral courage deserved more admiration than physical courage,— a feeling great enough not to allow them to stop at the amazing foolhardiness of the riot, but, despite the secret discomfort awakened by that reflection, to admit to themselves, half unwillingly, how much more courage still he needed by his act, and cheerfully dying at the hangman's hand for that act, to brand slavery as a national crime, with regard to which the true Christian should know but one law: Thou shalt obey God rather than men.[2]

performed and every word he uttered until the day of his execution only confirmed and increased the power of his example. He grew greater and greater unto the end. He was greatest at the last, when most men would have been weakest."

[1] Dr. Cheever says: "Others are filled with admiration of John Brown's heroism; this sentiment is universal (!). His grand, compact, clear answers on his examination are trumpet-tones of truth and earnestness. . . . Men are filled with amazement at the air of grandeur and challenge of righteousness which the simple and noble bearing of the old soldier, and the assertion of the sacredness of his motives and his cause, throw over the whole movement. They admire the calmness, integrity and force of his utterances, and the coolness and intrepidity of his demeanor and conduct, not only in the field, but, helpless from his wounds, in the court and presence of his enemies." The *Independent*, November 10, 1859.

[2] The *Independent* of the 24th of November, 1859, writes: "No ser-

The number of those who would have considered it right to obey this command in the manner chosen by him still remained evanescently small. But in numberless minds and hearts, wondering admiration for his motives overcame, in ever-growing measure, the feeling of disapproval of his act. And, from the wondering recognition of the motive, there was but one step to the acknowledgment that the case had not ended with the execution of the judicial sentence, but that, for good or for evil, the nation would have to hold court over the mouldering bones of the condemned, until it had reached the final political judgment for or against him, and that that judgment would have to be based not on the constitution, and not on the criminal code, but on the "higher law." How this would happen and when the sentence would be passed, no one could tell. But the word of menace, full of foreboding, from the Charlestown jail, that much blood would first be shed,[1] was powerless to deter people from loudly and publicly bearing witness that it would happen, and that the finger of the World's Horologe had already begun its steady course through the fateful hour. Such was the golden fruit of the silly act of the sublime criminal of Harper's Ferry. "Brown's deed and martyrdom are the beginning of the end of slavery."

vile insurrection at the south, not even a combination among the slaves reaching through all the states, from the Potomac to the Gulf of Mexico and the Rio Grande, could have awakened such a sensation throughout the country as did the raid of John Brown into Virginia. . . . Men having no personal interest to serve were ready to make war upon slavery at the hazard of their own lives. This has commanded the attention of thousands who would have given but a passing thought to a negro insurrection."

[1] Brown's last written words are: "I, John Brown, am now quite certain that the crimes of this guilty land will never be purged away but with blood. I had, as I now think vainly, flattered myself that without very much bloodshed it might be done." Sanborn, loc. cit., p. 620.

The boldest proclaimed it publicly with shouts of jubilation and an ardent prayer of thanksgiving.[1] Whole towns ventured, even now, to confess the same conviction by the solemn tolling of funeral bells and holding divine service on the day of the execution,[2] and millions were thrilled with the foreboding that the already brittle compromise policy would melt entirely away in the glowing heat of blood, and that the fatal day had begun to dawn, the motto of which would be Jefferson's words: "I tremble when I reflect that God is just."

This feeling found most powerful expression in the anxious zeal with which the democrats of the northern states endeavored to calm the south, by the most abundant

[1] In a sermon by pastor Belcher, we read: "On the day that man is hung, the whole system of slavery — that sum of human villainy — will receive so fatal a stab that it will never recover. Therein I rejoice — yea, I will rejoice — seeing in it the progress of human freedom. For this reason I shall thank God for the hanging of John Brown. There must be a martyr to truth, and each one that falls is a spring-shower upon the buried seed." E. M. Wheelock said in a sermon of the 27th of November, 1859, at Dover, New Hampshire: "John Brown is the first plague launched by Jehovah at the head of this immense and embodied wickedness. The others will follow, 'and then comes the end.'" Redpath, Echoes of Harper's Ferry, pp. 176, 179. Wendell Phillips clothed the thought in a beautiful figure: "History will date Virginia emancipation from Harper's Ferry. True, the slave is still there. So, when the tempest uproots a pine on your hills, it looks green for months,— a year or two. Still, it is timber, not a tree. John Brown has loosened the roots of the slave system; it only breathes,— it does not live,— hereafter." Wendell Phillips, Speeches, Lectures and Letters, p. 290. The *Independent* wrote on the 24th of November, 1859: "What is it that will be hung up on the gallows in the gaze of all men? Not John Brown, but slavery! . . . John Brown swinging upon the gallows will toll the death-knell of slavery."

[2] We have no space to chronicle even the names of the hundreds of cities and town, throughout the northern states, in which public meetings of sympathy were held on the day of Capt. Brown's execution." The *Independent*, December 8, 1859.

assurances of their unchangeable devotion. Farley Gray was guilty of no exaggeration when he wrote to ex-President Tyler: "Many are as violent as any southern man could be." He even exceeded the hysterical hallucinations of Governor Wise by the consoling promise that the tap of the drum would call fifty thousand men under arms to hasten to the assistance of Virginia.[1] Still greater demands might have been made and would have been cheerfully met, if the orators of the "Union Meetings," which were laid as a healing plaster over the bite of the abolitionist adder, were correct interpreters of public opinion.

The largest and most important of these demonstrations, ushered in with charlatanical din, was the meeting that took place on the 19th of December in the New York Academy of Music. The first speaker was the lawyer, Charles O'Conor. He was held in universal esteem, not only on account of his intellectual eminence, but of his character; and the originators of the meeting could not have found a better man for the place of honor on this occasion. The north had never yet heard such a speech, even out of the mouth of the most servile of its bread-and-butter politicians. A man of high intellectual endowments and spotless character had the mournful courage to appear before the people in the metropolis of the free north to preach with holy wrath the creed of John C. Calhoun. And yet his speech was a meritorious act, because O'Conor, with the same bold honesty as Alexander H. Stephens, followed the course of his ideas to their ultimate, logical consequences, and thus sent a new and dazzling beam of light through the clouds which for generations had enveloped

[1] "I am happy to tell you that the feeling here in New York is all we could wish. An army of fifty thousand men, I am persuaded, could be raised here at the tap of a drum to march to your aid, if necessary. Many are as violent as any southern man could be." Tyler, Letters and Times of the Tylers, II, p. 556.

the thought and feeling of the people on this subject. If slavery, said O'Conor, is unjust and contrary to the teachings of the Bible on the duties of one man to another, a higher law obliges us to trample it under foot, no matter what political laws may provide; but it is not only not unjust, but just, wise and beneficent.[1] On the question of principle, therefore, he took the very same ground as Brown: The laws and constitution should not be recognized as the court of last resort in this question; the moral nature of slavery must decide it absolutely and exclusively, and all the logical consequences that follow herefrom must be boldly drawn.[2] The irrepressibility of the conflict could

[1] "Is negro slavery unjust? That is the point to which this great argument, involving the fate of our Union, must now come. Is negro slavery unjust? If it violates that great rule of human conduct, Render to every man his due, it is unjust. If it violates the law of God, which says, 'Love thy neighbor as thyself,' it is unjust. And, gentlemen, if it could be maintained that negro slavery is thus in conflict with the law of nature and the law of God, I might be prepared — perhaps we should all be prepared — to go with a distinguished man, to whom allusion is frequently made, and say there is a higher law which compels us to disregard the constitution and trample it beneath our feet as a wicked and unholy compact. . . . I insist that negro slavery is not unjust. [Cries of 'Bravo!'] It is not only not unjust, but it is just, wise and beneficent. [Applause and loud hisses — cries of 'Bravo!' and disorder.] . . . I maintain that negro slavery is not unjust. [Cheers.] That it is benign in its influences on the white man and on the black. . . . We must no longer favor political leaders who talk about slavery being an evil; nor must we advance the indefensible doctrine that negro slavery is a thing which, although pernicious, is to be tolerated merely because we have made a bargain to tolerate it. . . . Yielding to the decree of nature and the voice of sound philosophy, we must pronounce that institution just, beneficent, lawful and proper. . . . The negro, to be sure, is a bondman for life. He may be sold from one master to another, but where is the ill in that?" Official Report of the Great Union Meeting, held at the Academy of Music, N. Y., pp. 29, 30, 31, 33.

[2] He did not even recoil from the final conclusion of his premises, that the south would be justified in seceding from the Union, "if the

not have been testified to more pointedly or more unreservedly. But Seward had been morally crucified, because he asserted it, and Brown had been hanged, because he had done what, according to O'Conor, it was every man's duty to do, if slavery was morally wrong. O'Conor, on the other hand, had rendered a great service to the menaced Fatherland, for, only to the bold proclamation of these great truths, said the *Weekly Day-Book*, was it due, that the grand demonstration in the Academy of Music was not a miserable fiasco.[1]

But even the *Day-Book* had not been able to work itself out of the mist, although the clear conciseness of O'Conor's reasoning shone with so dazzling a light as almost to blind the eye. Although it had to admit that the other speakers had not been able to rise to the height of O'Conor's "philosophy,"[2] it stated with great satisfaction that not one of them had wept over the evils of slavery, or expressed the hope that it would be abolished. It did not, therefore, see that, after all O'Conor's reasoning, absolutely nothing was gained by it, and that the northern friends of the south, with all their saving of the Union, were only endeavoring to fill a Danaïdes cask, so long as the north had not climbed to the height of his philosophy. That this would ever happen had never yet been considered possible; and if it had ever been considered possible, one could not but be now convinced of its impossibility by the fact that, even at this

north continues to conduct itself in the selection of representatives in the congress of the United States as, perhaps from a certain degree of negligence and inattention, it has heretofore conducted itself." Ib., p. 26.

[1] Dec. 24, ib., p. 92.

[2] The New York *Herald* agreed entirely in this opinion: "As to the statesmanlike speech of Mr. O'Conor, it was the only one that rose to the height of the occasion, and comprehended the true nature of the issues between the north and the south."

meeting, no speaker had dared to indorse what O'Conor had said. And far as were all the rest of the crowd of Union-savers behind O'Conor, he had gone to such an extreme that all the thanks he received from the slavocratic camp was a heartfelt cry of, Shame! We are filled only with disgust, the Baltimore *Patriot* told them, when you hypocrites lick the dirt off our shoes.[1] Even if the view of the *Independent*, that the dissolution of the Union and the civil war were to be feared now still less than before the attack on Harper's Ferry, and that the real danger was that the north would sink yet deeper into shameful servility,— even if this view were to prove correct, for the moment, the main question would be in no wise changed, if, in accordance with O'Conor's demand, Calhoun's principle, that slavery was a "positive good," were made the party watch-word of the democrats of the north.[2] The slavocracy saw so clearly, and there was

[1] "We perceive that the Locofoco Dough-faces in Boston, New York and Philadelphia propose holding meetings for the purpose of appeasing the wrath of the Locofoco Disunionists in the south at the recent exhibitions of foolish sentimentalism for John Brown by a handful, here and there, of Abolition Disunionists in the cities.

"If there be any character in the world that we have contempt for, it is the dirt-eating Dough-face of the free states. He has no real regard whatever for the south and its institutions, and yet, under pretense of sympathy for them, he will proclaim himself our friend, keeping his eyes steadily all the while upon the pecuniary benefit to be derived therefrom. He will do anything that southern fire-eaters will require of him, even to licking the very dust off their shoes. . . . They (the American party of Maryland) are not to be deceived about the real sentiments of the people of the free states about slavery, and they don't want any northern or western man to eat dirt to please them. They don't ask any such degradation; . . . they don't require of those people, as a prelude of political union in the next presidential election, the surrender of their manhood or the profession of a lie on their lips about slavery." Copied in the *Independent* of the 15th of December.

[2] "We are not in the least danger of a civil war. . . . We are not in the least danger of disunion. . . . The real danger lies in

so much sterling manfulness among them, that they tore to shreds this last cover under which an attempt might have been made to hide the irrepressibleness of the conflict, with the words: "Because your petty souls are concerned only with your material interests, you are becoming cowardly liars; you cannot think about slavery as you pretend."

just the opposite direction. . . . Already we see lawyers and merchants of the Castle Garden school, forward to prostrate themselves anew at the feet of the Southern Moloch, abjuring and execrating the name of John Brown. Already we see politicians anticipating the new calls of the slave-power for federal protection, by proffering whatever the fears or the audacity of the south may demand. . . . There is danger that even the party which is established upon the basis of opposition to slavery will begin to temporize, to seek for 'unexceptionable' candidates in men who have neither a history to warrant them, nor a principle to guide them. There is danger that the conscience of the nation, which one bold, generous deed has stirred to its depths, instead of pacifying itself by repenting of the sin that burdens it, will harden itself under a reaction into more daring and desperate iniquity." The *Independent*, December 8, 1859.

CHAPTER II.

THE ELECTION FOR SPEAKER OF THE THIRTY-SIXTH CONGRESS.

Three days after the execution of John Brown, the Thirty-sixth Congress met in its first session. "Harper's Ferry" was the first word uttered by the senate to the people, and "Helper's Crisis" the greeting offered them by the house of representatives. Even if one shared Buchanan's consoling belief that Divine Providence had always vouchsafed its "special protection" to the republic,[1] one could not enter, without fear and trembling, on a period of legislation which had been placed by the slavocracy under the sign of this double star. There could, indeed, be no question that the interest of the state imperatively demanded that all the facts relating to the insurrection at Harper's Ferry should be established in an authentic way. That Mason moved, in the senate, the appointment of a committee in this behalf, was, therefore, entirely proper. If the senator from Virginia exposed himself, by his course, to any rightful reproach, it was, at most, that he might have chosen a better moment. There could be no fear of danger from delay, and, considering the high degree of excitement of all minds, it must make a provoking impression on the republicans that the business of the senate was, without any necessity, opened with this question. This was all the more certain, as the resolution expressly made it the duty of the committee to ascertain whether any citizens of the United

[1] "We have much reason to believe, from the past events in our history, that we have enjoyed the special protection of Divine Providence ever since our origin as a nation." Annual message of December 19, 1859. Congr. Globe, 1st Sess., 36th Congr., App., p. 1.

States had made themselves the accomplices of the insurrectionists by the contribution of money, the procuring of arms or ammunition, or in any other way. Neither could this, certainly, be objected to; but it had a sting in it, none the less; for the slavocracy had, from the very first day, left no doubt that they not only expected but wished to find such accomplices in the ranks of the republican party. And back of the sting lay the poison. In itself, too, nothing could be said condemnatory of the fact that, lastly, the resolution imposed on the committee the task of reporting whether any, and what, laws were required to insure the peace of the country in the future, and to protect public property. The formulation of the resolution, however, had so long and so significant a history as a preparatory announcement of new claims and demands of the slavocracy, that the republicans would have been guilty of inexplicable and inexcusable confidence if they had not, even now, seen in it the beginning of an offensive advance against them.

Mason's announcement that he intended to ask that the discussion of the resolution be begun the next day was followed immediately by Trumbull's declaration that he would move to extend the investigation asked for to the doings, in 1855, at Liberty, Missouri.[1] Whether the senate accepted or rejected this motion was of no importance. That it was made was, on the other hand, a matter of no little significance. "No state can exist even a day if every individual is to be permitted to undertake to correct the evils, real or imaginary, from which it suffers, in his own way, and in defiance of the laws of the land."[2] With this

[1] The plundering of the arsenal by Judge Thompson and his associates. The object of it was the fitting out of Kansas expeditions with the stolen arms.

[2] "No matter what evils, either real or imaginary, may exist in the body politic, if each individual or every set of twenty individuals, out

simple, irrefutable reasoning, Trumbull frankly condemned the act of John Brown and his companions. If this truth, he continued, had been borne in mind, and acted in accordance with, when, some years ago, a similar thing was done for slavery, this act would probably not now have been attempted against it. Even if he had substituted "perhaps" for "probably," his assertion would have been a hazardous one, which not many would have been able honestly to acquiesce in. On the other hand, it was incontestably true that, in 1855, the slavocracy and the federal authorities had, notwithstanding all the reclamations of the opposition, remained blind and deaf to this truth, for which they now, from the very first moment, had evinced a more than sufficient understanding; and that this difference in their conduct could be explained only on the supposition that the highest principle of their political morality and wisdom was that the ship of state should always sail before the wind of the slave-holding influence.

If the object of this reproach had been to awaken the conscience of the slavocracy, Trumbull might have saved

of more than twenty millions of people, is to be permitted in his own way, and in defiance of the laws of the land, to undertake to correct those evils, there is not a government upon the face of the earth that could last a day. And it seems to me, sir, that those persons who reason only from abstract principles, and believe themselves justifiable on all occasions, and in every form, in combating evil wherever it exists, forget that the right which they claim for themselves exists equally in every other person. All governments, the best which have been devised, encroach necessarily more or less on the individual rights of man, and to that extent may be regarded as evils. Shall we, therefore, destroy government, dissolve society, destroy regulated and constitutional liberty and inaugurate in its stead anarchy — a condition of things in which every man shall be permitted to follow the instincts of his own passions or prejudices or feelings, and where will be no protection to the physically weak against the encroachments of the strong? Till we are prepared to inaugurate such a state as this, no man can justify the deeds done at Harper's Ferry." Congr. Globe, 1st Sess., 36th Congr., p. 5.

himself and the senate every word about this half-forgotten episode. So foolish an intention was, of course, far from his mind. The recalling of that outrage by the Missouri border ruffians, led by a judge, was a material addition to the eloquent refusal that preceded it, to allow the responsibility of John Brown's act to rest on the shoulders of the republican party. It opened the discussion asked for by the slavocracy on that act by the establishment of the highly important fact that the republicans not only were not disposed humbly and patiently to bare their backs for the blows intended to be inflicted with such a rod, but that they would continue to wield with undiminished force the thorny switches, so rich a selection of which could be cut in the forest of sins of their opponents. The "yell of delight" with which, as Hale said, the democrats who thought only of the interest of party had greeted the doings at Harper's Ferry, thus received the answer which it not only deserved but which had to be given it, if John Brown's deeds were not to supply a new and powerful prop to the already tottering power of the slavocracy.

Every possibility of self-deception as to the meaning of Trumbull's amendment was removed by the declaration dryly made by Fessenden: We shall not be put upon the defensive, for, in this matter, we are as pure as the extremest slavocrats; the objects mentioned in our party programme are legal and constitutional, and we shall, therefore, not desist from prosecuting them.[1]

The hotter-blooded Chandler thought well immediately to

[1] "We are not to be put upon the defensive. We are not responsible, and we do not mean to admit our responsibility in one way or another. We stand as clear and as clean and as pure, with reference to this matter, as the most ultra-slavery man among you. We have our objects, constitutional, legal, as we believe, rightful. They are avowed by us as a party; we have stood by them; and let me tell senators that, in spite of all the excitement which may be raised on this question, we are prepared to stand by them yet." Ib., pp. 32, 33.

place two great notes of exclamation after this declaration. The question, what would be said of a similar attack by southerners on the arsenal at Springfield, he answered with cutting scorn by saying that the women of the place would handcuff the seventeen or twenty-two rioters, even if they were not mere "captains," like Brown and his companions, but "generals," and ask neither sympathy nor an investigating committee. And still sharper than this bit of malignity was the practical point he gave the matter. Brown, he said, had been hanged as a traitor, and I demand that the records of the senate shall, in the most solemn form, contain the warning that every traitor shall be hanged, no matter from what point of the heavens he comes; the southern governor no less than the Garrison abolitionist, who years ago sent his challenge to the government of the United States.

The tone of the speeches of the southern senators was not quite the usual one. They had evidently supposed that the course of the debate would be different. They seemed equipped only to make weighty charges, and for strict criminal prosecution, and to be surprised to find themselves even on this occasion, for a while, an accused party. They felt, it was plain, that the well-aimed counter-blows of the republicans had blunted the edge of the weapon from which they had promised themselves so much. Their utterances, therefore, became more violent and more bitter, but it was noticeable from their speeches that their confidence of reaping some profit for the south out of the affair grew weaker and weaker. And, as the republicans, without exception, voted for Mason's resolution, although Trumbull's amendment was rejected by a vote of thirty-two against twenty-two, the investigation must, indeed, contrary to all probability, bring to light very suspicious facts, if only a very small part of the hopes were fulfilled which were entertained at first, in this respect, not merely by the slave states, but by the whole democratic party.

It is readily supposable that the probability, that the resolution would prove to have been only a blow in the air, contributed to cause the obstinate regardlessness with which the slavocracy sought to execute the parallel manœuvre planned for the house of representatives to be carried far beyond any bounds ever before reached.

In the electoral battles of 1859, and their results, it had appeared very clearly in a great many ways that parties were in a critical period of transition. In both of them, the representatives of more decided views had snatched many places from those who advocated, in one way or another, a more accommodating policy. To a great extent, also, both real differences and personal questions, to a part of which, in view of the presidential election, entirely too much weight was even now attached, had led to a still greater splintering of parties into factions. A further consequence of this splintering was the formation of coalitions of more or less heterogeneous elements. As it was believed that victory could not be counted on without foreign aid, compacts were made on the basis of an understanding as to the distribution of the fruits of the victory; that is, the field was taken with a combination list of candidates, and without any common programme. These tactics were crowned with success in many instances. But where this was the case, it was impossible to draw, with certainty, any conclusion as to the future from the result of the election. Even with regard to the present, one was left entirely in the dark as to what political views were preponderant in given localities, because the allied party groups, in order to facilitate an agreement on the lists of candidates, had frequently intentionally placed persons on them with respect to whose position on the burning questions of the hour, scarcely anything more than conjectures could be made. This fact was necessarily a

recommendation in the eyes of such coalitions, because the votes of those who did not themselves well know what they thought, or what they ought to want, were most easily obtained for such persons. But what had recommended these people as candidates, might easily appear in a very different light when they were elected. If circumstances were such that important decisions depended on their acts or omissions, one might prepare for very disagreeable surprises.

In New York, which had distinguished itself from the earliest period by the unsteadiness of its party conditions, the confusion was now greatest. As it was the heaviest weight in the Union balance, this fact might be attended by incalculable consequences. The people had followed the intricacies of the game there with strained attention. But precisely because it had been, in part, played under cover, and because nothing reliable could be ascertained about it, all conclusions that could be drawn from its immediate results rested on a very unsafe basis. Douglas had, indeed, in a letter of October 1, heartily congratulated Dickinson that he had succeeded in uniting the democrats of the state on the ground of the principle of popular sovereignty and non-intervention — a great success which had regained for him (Dickinson) his "true position" as leader of the united democratic party of the great state of New York.[1] But when this "noble triumph" was examined more closely its value seemed very questionable. The New York *Tribune* claimed that Dickinson had been cheated by the "Softs," who had achieved a complete victory in the state convention at Syracuse in September. His personal ambition had determined him to promise himself to them in August. After he had, in accordance with his promise,

[1] Speeches, Correspondence, etc., of D. S. Dickinson, II, p. 523.

taken a position publicly and emphatically against the tendencies of Fernando Wood and his adherents, they (the "Softs") did not allow themselves to be guided by his wishes in the election of delegates to the Charleston convention; that is, they had chosen no person who intended to advocate his nomination as a presidential candidate. How correct this view, so far as it relates to Dickinson's motives and hopes, was, must remain undecided. This much, however, is certain, that there was no occasion for congratulation on the restoration of the unity of the party. The Mozart Hall democrats, as Wood's following called themselves, after their headquarters, now permitted themselves to be led only by the interests of their faction, and chose delegates of their own to the Charleston convention, who were considered partisans of Henry A. Wise. Although this split concerned directly only an internal question of the democratic party, it must have injured its strength more or less, where the factions still contended united against their common enemies. But this should not have been made light of, even if the injury just referred to did not, in itself, seem great; for these enemies had for a long time been zealously endeavoring, and not without success, to hoist over the special party programmes the flag of the opposition, around which all elements might unite which were unfriendly to the present party rulers. The importance of these elements was by no means ignored by the democrats. Although John Brown had appeared to them as a powerful helper in their need, they saw with anxiety the result of the state elections which had taken place in New York and New Jersey on the 8th of November. Arguments on their side of the struggle played only the part of small arms. They had placed all their hope on the convincing power of patriotic anxiety, and the dismal words, "Harper's Ferry!" had, therefore, to do service as

heavy artillery in their agitation. A Cassandra tone rang through the mournfully solemn warning of the *Constitution*, the organ of the administration in Washington, on the 5th of November, which intimated to both states that they held the fate of the republic in their hands.[1] And the New York *Herald*, on the day of the election, gave, as an escort to the voters on their way to the ballot-boxes, the emphatic assurance that the news of a victory by the republicans would "fall on the ear of the south like the knell of a departed Union."[2]

That the number of democratic ballots in the ballot-

[1] "Never in the history of our country has any state election ever elicited such deep interest as the approaching contest on the 8th of this month in New York and New Jersey. These are now the battle-fields of the constitution and the Union, and the fate of the country may soon be decided there. Their responsibility is momentous. They may hold the fate of the Union in their hands. If they should prove to be the great breakwaters, arrest the flood of anti-slavery fanaticism, and rebuke the irrepressible conflict with which the Union is threatened by Mr. Seward, all will be well. But if, on the other hand, the surges of sectional passion and prejudice should roll over them also, they may have engulfed the liberties of our country. If these two states should decide in favor of the Seward agitators by elevating them to place and power, a deep gloom will spread like a pall over the country. . . . They have to decide by their votes whether they are in favor of maintaining the constitution and the Union, as they were framed and formed by the patriot heroes of the Revolution and handed down to us as a priceless inheritance of freedom, prosperity, glory, and power; or whether they are in favor of severing the bonds, annulling the compacts and abrogating the agreements which have bound the several states together as one happy and united people, and dividing our country into two hostile and antagonistic sections, contending for the mastery in irrepressible conflict until one or the other is compelled to yield to the superior force of the other."

[2] "If the black republican revolutionary ticket should be elected in New York and New Jersey, the news will fall on the ear of the south like the knell of a departed Union, and the excitement will speedily reach a crisis and assume a practical shape which will appall and astound the north."

boxes would have been smaller, if the alarm had not been rung so energetically, may, indeed, be looked upon as certain. But the number of the anxious was not so great that the victory could have been won by this policy of intimidation. In New Jersey the coalition candidate for governor was elected, and that the remaining offices to be filled fell to the share of the democrats, was due, at least in the opinion of their opponents, solely to their wholesale and unscrupulous manufacture of new citizens by the premature naturalization of immigrants. And in New York, their notable defeat would have been complete, if the so-called Brooks Americans had not taken up some democratic candidates on their list (Utica ticket).[1]

The democrats inferred from their failures that they had not yet gone far enough in the employment of the lever of fear. The *Constitution* gave notice, immediately before the meeting of congress, that the organization of the house of representatives would have to be proceeded with more inconsiderately than ever. Would not, it asked, the choice of a republican as speaker "be justly regarded as a declaration of war against the south, and as an invitation to servile insurrection?" It did not, of course, expect, by asking such a question, to make an impression on the republicans. The New York *Tribune*, on the 10th of November, had scornfully called its attention to the fact that notwithstanding the cry of Woe! Woe! Woe! it had uttered to the country on the 5th, brokers had been found in the metropolis flinthearted enough to buy, on the day after the state election, United States bonds that were to fall due in 1867, at 108, and had asked whether at last people would not desist

[1] There were four of them. One was defeated and the three others were elected by majorities of from over 300 to not quite 1,500. On the other hand, the republicans supported by the Brooks Americans received majorities of from over 45,000 to nearly 50,000.

from the attempt to frighten adult men by scare-crows. From this quarter, therefore, the organ of the administration had already received the fitting answer to its unqualifiable question. The question was, however, expressly directed to a different quarter, which at first glance must be a matter of still greater surprise. "We appeal," the article further said, "to every southern member of congress to answer the startling question whether the success of such men, at such a period, would not be truly considered as inviting the slaves themselves to insurrection and rebellion?" But why was so great and shameless an exaggeration thought necessary, in the south, in order to procure a hearing and attention for the stirring exhortation to avert the danger that threatened the country? Since when, and in consequence of what events, had it ceased to be self-evident that southern representatives would not rush forward to hold the stirrups for the republicans and help them into the saddle?

And yet people in the White House had by no means become so scared as to see spectres in broad daylight. That southern representatives could bring about what was feared by a sin of commission was considered an absolute impossibility there as elsewhere. But in the White House and elsewhere people did not feel quite certain that John Brown and the results of the state elections had made a sufficient impression on them to keep them from a sin of omission, the effect of which might be the same. According to the *Congressional Globe*, the two hundred and thirty-seven members of the house of representatives were divided as follows among the different parties: one hundred and nine republicans, one hundred and one democrats, twenty-six "Americans," one whig. Of the twenty-six Americans only three were from the free states, and one of them — L. C. Carter, of New York — was described as a "republican

American." Of the one hundred and one democrats twelve were "anti-Lecompton democrats." The calculations in the press gave in part a somewhat different result. In the elections to congress, as well as in the state elections, coalition candidates, whose party position was doubtful, had here and there been put up and elected. But no matter how these might be classed, a sure majority could not be calculated for any party,[1] and either of the two great parties might by different combinations receive a majority. The republicans had a majority already if all the anti-Lecompton democrats went with them. But they looked upon it themselves from the start as certain that this would not be the case. They did not even venture to believe that they would be able to gain enough of them to obtain an absolute majority in the full house, even with the help of the "Americans" from the northern states, whose ultimate coming over to them they looked upon as at least conceivable. If, notwithstanding, they entered the struggle with confidence, it was only because they expected that, after a longer or shorter contest, the house would, as it had done on former occasions, accommodate itself to an election by a plurality. The democrats, on the contrary, could not win, with a plurality vote, without some foreign support, even if the anti-Lecompton fraction —

[1] The New York *Tribune* of November 26, 1859, writes: "As to the preponderance in such organization of the house, we are by no means settled as to which side will have it, though we know that the opposition are entitled to it. Of the two hundred and thirty-seven members, one hundred and twenty-one were chosen distinctly as opponents of the national administration and its Lecompton policy — elected either wholly or in good part by republican votes. . . . To make out one hundred and thirteen republicans in the house it is necessary to count a dozen or so elected on 'People's tickets' in New York, New Jersey and Pennsylvania. Some of these are republicans, others probably not."

of which there was not the slightest prospect — voted as a unit for the "regular party candidate." But, on the other hand, they had a better prospect than the republicans to unite the majority of all the votes on their candidate. The votes of the "Americans" alone were not indeed sufficient for this. They could not dispense entirely with the anti-Lecompton democrats, and the decision might all the more easily depend on whether they obtained a few more or a few less of these votes, because it was at least questionable whether the three "Americans" from the northern states would be willing to go with their party if the latter voted for the democrat. Although, therefore, the decision did not lie entirely in the hands of the "Americans" from the southern states, they exercised by far the greatest influence on it. Hence the "appeal" of the *Constitution*, whose violent urgency was very like a threat. At the very moment that the earth received the corpse of the grim Puritan his shade was called forth from the grave as a terrible proof that no southern member of the house of representatives could now refuse his co-operation to the administration party without becoming guilty of the gravest crime against the whole south. From this two things were unmistakably evident: In the camp of the administration it was expected on the one hand to find the aversion for the actual party rule so strong and so deep-rooted that it would be possible to overcome it only by the heaviest pressure, and on the other hand it was resolved to make the utmost effort to prevent the election of a republican. Hence, even before the meeting of congress, it was undoubted that the election of the speaker would lead to an unusually hot and stiff-necked struggle.[1]

[1] Reuben Davis, of Mississippi, who numbers himself among the "Fire-Eaters," writes: "In private conversation I did not hesitate to express my conviction that the chances for war amounted almost to a certainty.

The first ballot furnished no ground for conjecture as to the way in which the struggle would end. The votes were divided among sixteen candidates. The largest number (eighty-six) was given to Th. S. Bocock, of Virginia. The greater part of the republicans (sixty-six) had voted for John Sherman, of Ohio; the smaller (forty-three) for Galusha A. Grow, of Pennsylvania. As soon as the result had been made known, Grow requested that he should no longer be considered a candidate. Then, Burnett, of Kentucky, a democrat, moved an adjournment. As his party associate, Florence, had asked for an adjournment even before the balloting had begun, on the ground that all the members were not present, the object of the motion was evidently only to gain time. The democrats, who voted for it as a unit, were still in a minority of one hundred against one hundred and thirty. Hereupon Clark, of Missouri, rose to speak. Burnett called him to order. There was no question before the house, and therefore no speech was in order. Clark replied: The question before the house is what candidate we should choose as speaker, and I shall show that certain candidates are not to be chosen. This argument pacified Burnett. But the call to order which he had withdrawn was renewed by Washburne, of Illinois. The secretary who had led the business of the last house remarked that he did not consider himself authorized to decide the question, and Clark anticipated the asking of the sentiment of the house by the declaration that neither had it the power to close his mouth: he would decide the question for himself; he would continue his remarks, for the constitution gave him the right to do so. The house, indeed, did not submit imme-

Arriving a few days in advance of the meeting of congress in Washington, I thought I could observe in the members with whom I talked an ardent desire to precipitate the conflict." Recollections of Mississippi and Mississippians, pp. 378, 379.

diately to this sovereign decision, and he stated that he was ready to renounce his desire to speak, but only to connect this noble-minded renunciation with the reading of a resolution which condensed the entire tenor of his speech into a few words and accomplished the end which it was intended to serve incomparably better than the longest speech without a resolution could have done.

"Whereas certain members of this house, now in nomination for speaker, did indorse and recommend the book hereinafter mentioned,

"Resolved, that the doctrines and sentiments of a certain book called 'The Impending Crisis of the South — How to Meet It,' purporting to have been written by one Hinton R. Helper, are insurrectionary and hostile to the domestic peace and tranquillity of the country, and that no member of this house who has indorsed and recommended it, or the compend from it, is fit to be speaker of this house."

The galleries, by applause and hisses, immediately showed how well they understood that the motion was a fire-brand which must kindle a great conflagration. Whoever yet believed that this could still be avoided must have learned better from the further course of the debates, although no speeches were made and only a few short remarks exchanged.

A republican, B. Stanton, of Ohio, interrupted Clark in a new endeavor to make a speech with the remark that it was better to adjourn, since the gentlemen who were bent on gaining time could not be prevented from reaching their end. Clark replied that he was pursuing the higher purpose of bringing facts to the knowledge of the people; but, notwithstanding, he readily allowed the putting of the motion to adjourn, which, however, was again rejected by a very small majority. In order to deter his party associate from his purpose, Thaddeus Stevens had cried out to

him: "These things must come out, and they might just as well come out now." This was incontestable, for by his agreement to the motion for adjournment Clark had not wanted to renounce his "higher purposes." The resolution was not withdrawn, and its only immediate object could be to call forth a stormy debate before the election of the speaker in order to exercise a decisive influence upon it. When Stanton begged Clark to consider that it would be very advisable to postpone the desired discussion until after the election of a speaker, he displayed so high a degree of ingenuousness that one must be tempted to believe he was only playing an actor's part.

Other republicans likewise did not agree with the second part of Stevens' statement, and Kilgore, of Indiana, adduced for his divergent view a reason which, even in Clark's eyes, did not immediately appear as an absurdity like Stanton's request, because of his intention. On the other hand, opinions might differ widely as to whether it was politically wise or even proper to urge it. "I wish simply to remark to the gentleman from Missouri," said Kilgore, "that probably he had better allow some little time for gentlemen whose names appear published in the New York *Herald* as having signed this recommendation to make their own statements in this matter." And although he, too, was one of the subscribers, he added to this the assurance that he, and all with whom he had spoken, had no recollection of having ever seen the recommendation; that the Helper compendium, as he had been told, according to the intention of those who had interested themselves in its composition, was to contain only facts from the census and remarks of southern people on the effects of slavery, and that the doctrines which it actually contained, according to the extracts from it in the *Herald*, could not be more severely condemned than he condemned

them, for he represented a conservative and peaceable congressional district with no tendencies towards treason.[1]

Clark scornfully answered: "I am glad that the gentleman is beginning to flee from the wrath to come."

Whereupon Kilgore replied that he never sought to escape the responsibility of his action by flight. His party comrade, Farnsworth, of Illinois, however, seemed to have a feeling that his utterances came very near bearing the interpretation given them by Clark. At any rate they certainly did not please him, for he spoke in a very different tone. He left it to Clark whether he did want to have the book read in order to give the discussion a firmer basis; he recommended the reading of it to him; it would be wholesome for him.

This provoking irony, however, appeared in a peculiar light, through the repeated assurance that he had not read the book himself. As he had subscribed the recommendation, one might have thought that this statement would excite universal surprise. But Kellogg, of Illinois, not only saw nothing strange in this himself, but acted as if he could suppose it self-evident that the entire house thought as he did. He declared that at that time he was not able to assert or deny whether the *Herald* had had a right to place his name among the subscribers of the recommendation; that democratic sheet was no sufficient authority for him. On the other hand, he was able to assert, without any modifying clauses, "that these sentiments were (are) not entertained by republicans," and with strange logic he followed up this assertion with a motion to adjourn, in order that the accused gentlemen might be given time to make themselves acquainted with the contents of the book, and to admit or deny entertaining the views for which they were reproached.

[1] "A constituency . . . that has no leaning towards treason."

The motion was now adopted, after Clark had stated that he did not object, "if the gentlemen wanted time to deliberate and prepare themselves in secret."

If the continuance of the struggle was in keeping with this beginning, the republicans had not only every reason to entertain very little hope of a happy ending of it, but they had to fear that the general position of the party would be seriously injured by it. If one wished to leave it entirely undecided how the signing of the recommendation by members of congress should be judged from the various higher points of view, it could scarcely still be questioned that, under any circumstances, it would have been a political mistake, and it was entirely undoubted that, at least, in consequence of the Harper's Ferry riot, it became such a mistake. The feeling provoked by this event made it unquestionably a more effectual means of agitation in the hands of their opponents than the census extracts made with a caprice conscious of its aim, with their extravagant commentaries and provoking application, could have been in their own hands. But the edge of the weapon might have been greatly blunted if it were declared that, notwithstanding the signature as "member of the house of representatives," the matter was a personal one affecting only the gentlemen themselves, for which the party could not justly be held responsible, so long as it declined that responsibility. But now the party was put in a dilemma by the vote for Sherman and Grow, and Clark had hemmed it in so closely by his resolution that it could not escape unhurt. If it dropped Sherman's candidacy, it would have to meet the shameful charge that it had been compelled to make a disgraceful retreat by the abusive words of a slavocrat. If it upheld his candidacy, it would be difficult to refute the assertion that, by

so doing, the party had formally approved the recommendation and therefore also the doctrine developed in the book, since, despite the protest based on the recommendation, it persisted in making Sherman the standard-bearer of the party. It had no right to demand that their remonstrances against this interpretation should have any more weight attached to it than men are wont ordinarily to attach to words when acts seem to contradict them. But all the republicans who had hitherto spoken on the matter had given it to be understood, in one way or another, that they looked upon Helper's book as a log which they should, in no case, allow to be hung to the party's feet. None of them, however, had given a completely unambiguous exposition of his views. Only one thing was clearly expressed in the remarks of all: a feeling of painful embarrassment; and Farnsworth and Kellogg had neither expressed sorrow for their step nor sought to justify it and openly confess Helper's doctrine. This much, however, might even now be inferred, with approximate definiteness, from their utterances, that, if the pressure on them was increased, they would see, in an exculpatory pretext, the saving *via media*, between an honest but humiliating *pater peccavi*, and stubborn persistence in the act of imprudence they had committed. But if Sherman's ingenuity was not great enough to manufacture a longer and heavier cloak than the one to which these co-defendants had already clearly referred, the republicans might with good reason have been told, if they clung to his candidacy, that they imputed to the people a paradisaically ingenuous way of looking at things, and supposed that they would consider all the reasonable requirements of decency satisfied with a fig-leaf. Clark's last spiteful remark, therefore, that the republicans wanted to put all their heads together, in secret council, in

order to find the best means to protect themselves from the bow they had themselves drawn, hit the nail on the very head.[1]

The attempts to close Clark's mouth were not renewed next day. The reading of the recommendation, with the names of all the subscribers and some peculiarly violent extracts from the book, served as an introduction to his speech, the *thema probandum* of which was the closing sentence of the resolution. He ended his speech with the assurance that he did not wish to delay the organization of the house. This was certainly honestly intended, but on the condition that his argument had convinced the majority of the necessity of averting the disgrace and danger that menaced the country, by the prompt election of a democrat. He had, indeed, also said that there were men to be found among the Americans, likewise, who would be no dishonor to the house in the speaker's chair, and who would preside over its deliberations with ability. But the direct question whether he would himself vote for an American he answered by saying: "I would if I could not do any better." Whether all the other democrats would go even as far as that was at least doubtful. On the other hand, it was entirely certain that not one of them would be willing to go a step beyond it. "Under existing circumstances it is the sacred duty of the Americans to vote for the democratic candidate." In this simple sentence the whole argument was practically summed up. Hence nothing would have been more undesirable to Clark than that the republicans

[1] Greeley still boldly asserted that Sherman would have been "pretty certainly elected, if the republicans had allowed Clark to ventilate fully his ignorance and stupidity with regard to 'Helper's Impending Crisis,' and then insisted on calling the roll, and persevered till midnight, if necessary." Kellogg's course, who prevented this by his motion to adjourn, he called "recreancy." New York *Tribune*, December 6, 1859.

should have been forced to retreat immediately by the resolution. It was meant to brand the forehead of the republicans with the mark of Cain, but also to exercise a pressure on the Americans; and this last was its immediate practical object. By its means, so far as they were concerned, a coercive veto was to be entered against the organization of the house. With what confidence Clark thought he could reach the positive result he desired by this negative one, could not be inferred with certainty from the evasive answer he had given to the question just referred to. But, on the other hand, his speech might excite the suspicion that he did not care so much about the positive as about the negative result.

In accordance with the real address of the resolution, an American and not a republican took the floor after Clark. Gilmer, of North Carolina, moved an "amendment" to the resolution that left nothing of it but the one word, "resolved." The long-winded statement of reasons referring to the continual intensification of sectional strife, and in which were quoted literally the declaration of proscription made by Clay and his associates, in the Thirty-first Congress, against all the opponents of the compromise of 1850, and the resolutions of the national conventions of the democrats and whigs of 1852 against the agitation of the slavery question, amounted to the declaration, that it was the duty of all good citizens to oppose every attempt to renew the agitation of slavery in congress or out of it.[1]

Burnett requested Gilmer to change his amendment into a supplemental motion, for the republicans, to whom he, too, did not wish to render any service, should not be allowed to wrangle about the vote on Clark's resolution.

To this appeal Gilmer answered that he saw no connection between Helper's book and the election of the

[1] Congr. Globe, 1st Sess., 36th Congr., p. 18.

speaker; if, however, it was thought that the election of the speaker should be preceded by a declaration of political views, it would be best, in his opinion, to give it in the form proposed by him.

But Burnett was not to be dismissed so easily. The passionate ardor with which he endeavored to convince Gilmer of the necessity of forcing a vote on Clark's resolution was followed by a result — but a result opposite to the one he wished. Gilmer, indeed, made advances towards him to the extent that he added to his motion the words, "and that no member should be elected speaker of this house whose political opinions are not known to conform to the foregoing sentiments," and expressly provided it with a practical point with respect to the election of speaker. But, on the other hand, he plainly said that he could not grant Burnett's wish, because he condemned exasperation on one side as much as on the other. But, latterly, the democratic press had, by the manner in which it had treated the Harper's Ferry affair, engaged in this obnoxious business consciously and with an end in view, and he would, if he was to accede to Burnett's request, promote the agitation which he and his friends were trying to suppress with all their strength.

In this way the situation was made sufficiently clear, in one essential respect. The amendment to the resolution told the republicans that they would not get the assent of the Americans to a plurality election so long as a signer of the recommendation was their candidate. And the answer given Burnett informed the democrats that the Americans intended going their own way, despite Harper's Ferry and "Helper's Crisis," and that the more the democrats endeavored to turn the sectional strife to the advantage of party, the less disposed would they be to act as shield-bearers for them. On the other hand Gilmer had carefully

avoided every word that could be considered as a promise to give the support, direct or indirect, of the Americans, under certain circumstances, to the one party or the other. It was impossible, therefore, to tell when and how the house would be organized; certain it was, however, that it could not take place so long as neither the democrats nor the Americans would recede from their position.

The next speech that was made could not but destroy all hope that the democrats would be induced to act less stubbornly. Millson, of Virginia, appealed to his whole parliamentary career as a proof that he had always been moderate both in his views and in his manner of giving expression to them. And yet he declared that he felt "almost under a sense of humiliation," not only at Gilmer's motion, but at Clark's. The representatives of the southern states should have sat silent in their seats, and the northern representatives should "with extended arms" have brought them the assurance that the atrocities in question were not manifestations of the sentiments and intentions of the north. They should not have had the least claim that the south should have smoothed a broad and easy path for them to do so, as had been done by these two resolutions. But now, instead of immediately embracing the opportunity thus undeservedly afforded them, the gentlemen sat in "a sullen and most contemptuous silence." The matter was vastly too important to be connected at all with so comparatively an insignificant question as the election of the speaker, and Clark's resolution contained "something of an anti-climax;" the man who purposely and consciously used his name and influence to disseminate such a book was not only not fit to be speaker but he was not fit to live.

This speech broke the seal on Sherman's lips. He said he had been silent hitherto because he believed it was only intended to prevent the organization of the house; but the great respect with which Millson's character in-

spired him, and the deep impression the matter had seemed to make on him (Millson), had determined him to say now what he had to say. That he would have soon broken silence, under any circumstances, might, however, be inferred from the fact that, after these introductory remarks, he read a letter written to him *ad hoc* by F. P. Blair, and dated the same day. The question raised by Clark's resolution, said the letter, made it seem proper to state how the signatures to the recommendation of Helper's compendium were received before the appearance of the book. Helper had laid the book before him for examination, in order to interest the republicans, through him, in its dissemination. He, Blair, had orally[1] or in writing objected to many details, and Helper gave his written promise to strike out the matters in question or to change them. He understood that, in consequence of this promise,[2] the members of congress in question and other influential republicans were induced to recommend the dissemination of an expurgated edition of the book.

Sherman was so able a man that it might be supposed he had not left this testimony of his volunteer (?) compurgator quietly in his pocket, only because he had nothing himself to advance in his justification. Even if one were so childlike or held such lax moral principles as to consider it proper to recommend a political, agitative document in advance, simply because it would, in the opinion of a third person, be worthy of recommendation, after it had, in accordance with his demands, been written over, one could not but object, that this blind confidence had been reposed in a man who treated the matter so lightly that, according to his own testimony, he could not even remember whether he had made his demands

1 "I either wrote to Mr. Helper or told him."

2 "I understand that it was in consequence of this assurance to me."

with regard to the alterations orally or in writing on the author. The letter, by its contents, was only a self-indictment of the writer, in the form of a justification of the representatives accused in Clark's resolution. The very statement that the incriminated representatives had signed the recommendation only on account of his agreement with Helper was formulated in such a way as to deprive it of all value as evidence, while in Blair's own view their acquittal had to be based on that very evidence. But Sherman passed that statement by with significant silence. The declaration, however, that he did not remember signing the recommendation excluded the assumption, so far as he was concerned, that it could be proven. He added that that should not be taken as an excuse, for, since his name was on the printed list, there must have been some warrant for it. Whether this remark could be looked upon as an admission that the signing of the recommendation was an act that needed an excuse, it was difficult to tell. What he said on the question proper was limited to the statement that he had never seen either Helper's original book or the compendium. With the charge that the courtesies which should always be observed among gentlemen, and which he had always observed, had been grossly violated in his regard, he passed from the defensive to the offensive. "I say now that there is not a single question agitating the public mind, not a single topic on which there can be sectional jealousy or sectional controversy, unless gentlemen on the other side of the house thrust such subjects upon us. I repeat, not a single question." He adduced no proof of this bold, startling assertion, unless, indeed, he believed he had produced it by saying that the republicans had observed a "studied silence." In the applause from the galleries that greeted the declaration that the republicans would prove themselves capable of guiding

the deliberations of the house and the destiny of the country while scrupulously protecting the rights of all, excited southern ears, heard rather a direct challenge, in this connection, than the pacifying assurance of inviolable loyalty and fidelity to the constitution.

Leake, of Virginia, immediately showed this by repeatedly calling Sherman the "abolition candidate." The annoyance he intended to cause by this unwarranted designation was a petty gratification which he might well have denied himself, as he was certainly fully equal to the task of proving that Sherman had left his case exactly where it was before his speech. Sherman had not, he concluded, uttered a single syllable to describe his position on Helper's inflammatory teachings.

Sherman was induced by this to make the further remark, that he had already repeatedly expressed himself against all interference by the people of the free states in the relations between masters and slaves. But this was saying nothing whatever on the real question, unambiguous and definite as it sounded. "Do you acknowledge that it was wrong to put your name on this paper, or do you still stand by this signature?" That was the question, and the result to which he and his political friends, in their consideration of the situation created by Clark's resolution, had reached, was evidently that the simple yes or no with which it could have been answered must not pass his lips. He, however, not only studiously refused to utter a plain yes or no, but his answer was no answer whatever, inasmuch as the most salient point in all Helper's agitative reasoning was the warfare of the rest of the white population of the slave states against the slave-holders. Sherman, therefore, evaded answering the main question by answering another, and which had been raised, at least indirectly, and which, despite the eminent and perhaps overshadowing importance it possessed in itself, was not controlling in this connection.

No one doubted that the statements made by Sherman and his associates were in keeping with the truth, for the signing of recommendations of every description without any knowledge, merely to please a friend, was a vicious custom so universal, that, in the jargon of American newspapers of the present day, it might have been properly called a "national peculiarity." Moral sentiment, in this respect, was so lax that the southerners doubtless determined to give the matter so tragic a complexion mainly for the political effect that could be obtained from it. If it could not have been turned to such good account, they too would have readily absolved the subscribers as the victims of a vexatious piece of awkwardness, which any one might have become. The powerful spectacles of interest enabled them to see so clearly how absolutely worthless the excuse was, that it was never known, and no attempt was ever made to find out, why the names were signed to the recommendation. The republicans, on the other hand, utterly failed to pass a correct moral judgment upon the question, because they at first thought that they should consider and examine it solely through these spectacles; for they proceeded on the principle which American politicians, much more universally than those of other nations, are wont to consider an axiomatic truth, that it must be always injurious, in politics, to unreservedly acknowledge a mistake once made to be a mistake. Moreover, the real authors of the recommendation, like Weed, Greeley, and their associates, could not plead ignorance. But their position in the party was such that the interests of the party would have been seriously injured by an unreserved and emphatic disavowal of their conduct, and therefore, viewed from this standpoint, there was only a choice between two evils, and it was not easy to say which of them was the greater. And it seemed all the more dangerous for the republicans to allow themselves to be forced

into open opposition to these recognized leaders of the party, because the democrats were endeavoring to give the question so far-reaching an importance; and the withdrawal of the recommendation would presumably have the effect of completely sacrificing the whole book, the agitative value of which might, to a certain extent, be inferred from the violence of the slavocratic denunciations of it. But so long as speakers beat about the real question with generalities instead of giving a direct and concise answer to it, it could not properly be made a matter of extenuation that the signatures were given without any knowledge of the book or even of the contents of the very paper that bore them. And if it was self-evidently to no purpose to bring forward excuses which were plainly no excuses at all, must it not have been worse than useless, purposely to clothe the excuses in such a way as to imply that it was folly and presumption to see any reason for an excuse? The position and attitude of the republicans could certainly not appear to unprejudiced judges in a more favorable light in consequence of Sherman's speech. Its form made it still more doubtful than its contents whether the republicans were resolved to cling to his candidacy with the utmost tenacity.

Before the second ballot, therefore, all three parties had taken a position on the question raised by Clark, to such an extent that the situation was fully cleared, in one very essential respect, but only in a purely negative sense: it could not be seen when the organization of the house would take place and the Thirty-sixth Congress begin to work at its legislative tasks. Never yet had the political atmosphere been so thoroughly saturated with mists pregnant with the storm, and the legislative power threatened to abandon the service. But the constitution had made no provision to meet such a case. Unquestionably, in giving the elected representatives of the people the right to choose an officer to

preside over their deliberations, it had also imposed on them an inviolable duty;[1] for the fulfillment of all the other duties and the exercise of all the other rights of the house of representatives was connected with the precondition of their having exercised that right. But the authors of the constitution had not deemed it conceivable that the splitting up of parties and the intensity of political passions could ever make it necessary to coerce the representatives of the people into the performance of that duty. No time had been fixed within which it must be done; the mode of election was left entirely to the house; no influence was accorded the other powers of the state on what the representatives did or failed to do in this question; of an appeal to the sovereign people by a dissolution and new elections, the constitution knew nothing whatever. Yet if the house of representatives did not begin its work, the suspension of legislation in the meantime would not be the end of it; but, on account of the failure of appropriations, the entire machinery of government must finally come to a standstill unless the means of keeping it in motion were obtained in an unlawful manner or at least in a way outside the law. If the representatives did not find a sufficient check in their own consciences, the only protection against such a catastrophe lay in the moral pressure of public opinion exercised upon them.

At first there was nothing to show that the exercise of such a pressure would be even attempted with any force. After Gilmer's amendment had been read, Washburne moved to lay the whole matter on the table. This motion was rejected by a tie vote. The administration party, which had voted solidly against it, inferred from this vote that the debate should be subjected to no limitations whatever. In

[1] "The house of representatives shall choose their speaker and other officers." Art. I, sec. 2, § 5.

what spirit and to what extent it intended to take advantage of that fact, Pryor, of Virginia, announced on the 7th of December with thankworthy frankness. All the means, said he, afforded us by parliamentary law will be exhausted not to permit the standard-bearer of the republican party and his principles to take possession of the speaker's chair; we shall assume all the responsibility of this.[1] And even now voices were heard that counseled going much farther. If it depended on me, said Iverson on the same day in the senate, both the senators and representatives of the slave states would, if Sherman were elected, to the last man leave the capitol, not to return to it again until ordered to do so by their constituents.[2]

That the administration party would stand like one man by Pryor's announcement, was certainly not doubted on the 7th of December by a single republican. But the republicans minded that just as little as they did Iverson's threats. When there was a momentary lull in the roaring

[1] "Now, gentlemen, shall the representatives of the people of the south quietly submit to that gentleman taking possession of that chair, usurping that power, controlling and directing the policy of the government for the next two years, for the promotion of the aims and purposes which his party boldly and defiantly avow? I say, never; never, sir, so far as legitimate resistance may be opposed to his election. We will encounter all responsibilities; we will exhaust invention; we will do whatever parliamentary law will permit, in order to prevent the sad catastrophe of the champion of the republican party and its principles taking possession of that chair. We have taken issue on that, and there we stand." Gongr. Globe, 1st Sess., 36th Congr., p. 50.

[2] "If I had control of the public sentiment, the very moment that you elect John Sherman, thus giving to the south the example of insult as well as injury, I would walk, every one of us, out of the halls of this capitol, and consult our constituents; and I would never enter again until I was bade to do so by those who had the right to control me. Sir, I go further than that. I would counsel my constituents instantly to dissolve all political ties with a party and a people who thus trample on our rights. That is what I would do." Ib., p. 30.

storm, in order that a vote might be taken, they voted for Sherman, and, at first, left the speech-making almost entirely to the democrats and Americans.

This had no quieting effect. The longer the southern democrats listened to their own speeches the more they worked themselves into a heat. More and more provoking and more and more bitter became their tone, until soon scarcely a day passed without disguised or undisguised threats of secession. But neither the republicans nor the Americans allowed themselves to be moved to yielding their position by such means. The latter, too, although in a less blunt way, took the southern point of view, both as to what honor and interest demanded, but they would not be convinced that it was their duty to help a democrat into the speaker's chair, because in every alliance the weaker should follow the stronger and not the stronger the weaker. The endlessly repeated, and of course utterly fruitless, discussions of the rightfulness or wrongfulness of this principle alternated with equally long and fruitless calculations of the possible combinations by which a majority would be obtained, on this ballot or that, for a candidate, or might be obtained for one on some future ballot. Their object was to show who was to be held responsible by the people in their just wrath for this unseemly and ruinous waste of time; but by no party was it admitted that proof of its guilt had been produced, abundantly as menacing scorn and flattering persuasion, coarse invective and pathetic appeals to patriotism were employed to strengthen the arguments. The conduct of the leaders of the other parties also called forth growing excitement and embitterment among the people. Naturally the desired effect could not be expected from this, when the course of the representatives of all parties met with the approval of their own adherents. But such was unmistakably the case, and hence all appeals to

public opinion were foolish. Public opinion was as divided as the house of representatives, and, therefore, all its manifestations only fanned the flame.

Parliamentary law afforded the democrats means enough to obstruct the way of the republicans, and they showed themselves as skilful as they were inconsiderate in the use of them. But by these tactics they made no greater headway than did the republicans. After the resultless war of words had lasted two weeks, an earnest effort was therefore made to reach the desired end by the manifestation of a disposition to make certain advances toward each other with respect to the question of persons. On the 19th of December, after the eleventh fruitless ballot, Bocock withdrew his candidacy. The democrats, who were at first divided, were then united upon Millson. While his speech on the second day afforded a sufficient guaranty even to the most extreme, there was some foundation for parading him, in accordance with the testimony he bore of himself, as one of the more moderate conservatives. His vote against the Kansas-Nebraska bill was capable of being turned to good account in this regard, although it was a question to what extent that should be considered a meritorious act in his case, as he had subsequently voted for English's bill. This, however, might properly be left out of consideration now, since opposition to the Kansas-Nebraska bill was by no means a recommendation in the eyes of all Americans. Anderson, of Kentucky, went so far as to advance it as the principal reason why he could never vote for Millson. By saying so, indeed, he only drew upon himself the ironical laughter of the house, since he had voted for Etheridge, who, in this respect, was in precisely the same position as Millson. That the reason he gave was merely an idle protest, however, made it all the more certain that Anderson was fully in earnest when he declared that

he would vote for an American to the very end of the struggle; and his party associates, like himself, felt no more love for the new democratic candidate than for the first. The manœuvre failed completely, and, after a few ballots, the democratic votes were again distributed among a large number of candidates.

Christmas had come and gone, but the angelic greeting of peace had awakened no echo in the hearts and heads of the politicians. The president thought he should delay no longer to remind the house, indirectly, that important interests of the country were awaiting legislative action. His annual message had certainly been prepared at the beginning of the session, since there is no discoverable reason which could have determined him to deviate from the inviolable custom. The annual message is always directed to the two houses of congress, Buchanan, however, had let it lie in his desk. But after two weeks even, the time seemed to him to have been too long, for in the official publication of it in the *Congressional Globe* the message bears the date of the 19th of December. Still, he imposed patience on himself for fully another week. Not till the 27th of December did he send it to the two houses of congress. In the senate, it was read immediately, and in that way came to the knowledge of the people.

Whoever had no kind feelings for the president and looked through the colored spectacles of party, could hardly fail to adduce all kinds of arguments, more or less plausible, to show that in this unusual course there was evidence of a want of regard for the house of representatives.[1] But the house and not Buchanan had created an abnormal situation, and hence on it and not on him devolved primarily the responsibility for the extraordinary step the president

[1] Buchanan could, however, appeal to one precedent. Pierce also had sent his message to the Thirty-fourth Congress before its organization.

had taken. Whether he would not have done better to have waited a while longer may be doubtful; but proof for or against this could not be produced: it was a pure matter of opinion. The president could, however, entirely apart from the general question, adduce in support of his views the weighty fact that one of the most important departments would have been forced long before to suspend its functions to a greater or less extent, were it not that this danger had been averted by extraordinary measures, with the assistance of private individuals. The Thirty-fifth Congress had allowed its constitutional duration of life to come to a close without having passed the appropriation bill for the postoffice department for the fiscal year 1859–60, which also contained the deficiency appropriations for the fiscal year ended June 30, 1859. The contractors had therefore to be given due-bills in lieu of payment, and it was left to them to see where and on what conditions they could borrow the money they needed on such security. This was not only unworthy of the Union, it was costly. The interest on these loans up to the 1st of December amounted to $96,660, and the contractors had, as the message pointed out, at least an indisputably equitable claim to reimbursement of that amount. As in a great number of states the election of representatives had not yet taken place, it did not seem proper to the president to call an extra session of the Thirty-sixth Congress in order to perform what its predecessor had neglected. Buchanan thereupon took occasion, in accordance with the authority vested in him by the constitution, to recommend congress to pass a law before the end of the session, fixing a day on which the elections for representatives to the next congress should take place in all the states. This recommendation was certainly a very proper one; for, as the president rightly pointed out, the like impossibility of convoking a full congress at a given moment

might also occur at times in which the very foundations of the republic were menaced by internal or external danger. It was at least equally proper to refer to the fact that congress could not only paralyze the activity of the government, but destroy its very existence, by neglecting or refusing the necessary grants of money. In all probability this passage, like the rest of the message, was written before the meeting of congress, and therefore was really inspired only by the failure of the Thirty-fifth Congress to do its duty with respect to the postoffice appropriation. But what had been going on in the house of representatives for three weeks gave it quite a different meaning now. Buchanan had not told the people anything new in that passage, but the popular consciousness had never hitherto looked upon this possibility as anything more than, so to speak, a theoretical one; and the fact that Buchanan's admonition was based on an actual event would not have changed this in any way. Now, on the contrary, nascent doubts might be awakened here and there as to whether what would occur when the frightful possibility arose would never outgrow the character of an academic problem. The president, without wishing it, and perhaps even to his vexation, had given a powerful impulse to serious reflection on the question whether the house of representatives was not on the best way of inaugurating a revolution in constitutional forms, by refusing to recognize the duties corresponding to its rights. It might be impossible to determine in advance where and how the line ran, the overstepping of which would be the beginning of that revolution. The most important thing was that people had become clearly conscious of the existence of such a line, for it might be hoped that that would be sufficient to prevent its being intentionally or unintentionally overstepped.

It cannot, however, be asserted that this paragraph really received the attention it, for the reasons stated, deserved

immediately. So little attention was never before paid to an annual message; and it would have had no claim to a better fate, even if the struggle in the hall of the house of representatives had not fully absorbed public interest. Its utterances on the sectional question afforded gray-haired, honest men many a text for instructive and edifying discussions on the corruption and danger of the times, but they were like an effort to subdue a howling storm by hypotheses as to its origin and lamentations over its effects. The matter could not have been taken easier. Buchanan, indeed, spoke of "advice," and tried to give it weight by recalling that his political career reached back into the times of the fathers of the republic. This fact and the assurance that he had no more ardent earthly wish than, at his departure hence, to see the country peaceful, happy, united and powerful, was all he could base it on, and that was much more than would have been necessary; for the advice consisted in the entreating admonition to avoid contention and harbor once more the friendly feelings of other days towards one another. To climb to this statesmanlike height one did not need to have the president of the United States as a leader, and he was not even fit to be such a leader, since he now "cordially congratulated" congress on the "final settlement" of the slavery question in the territories by the Dred Scott decision, while he clearly perceived that the great significance of the Harper's Ferry raid lay in the fear that it was only a symptom of an incurable disease in the thought and feeling of the people, which would ultimately lead to open war, between the north and the south, for the annihilation of slavery. He indeed declared that he did not share that fear himself. All he could adduce, however, in support of his opinion was that everything earthly had its time, and that even the roughest waves always become smooth again. All that

was needed was to keep within the bounds of the constitution, and the Harper's Ferry incident would yet prove a blessing to the country; for the people, roused to a knowledge of the danger, would "resolve" that rash counsels should not imperil the constitution and the Union. Apart from the lengthy dissertation on the Dred Scott decision, in which honorable patriotism became a transparent mask for partisanship, the president had, therefore, nothing to offer the country save unctuous words without any tangible substance — words which would have made a very good impression in the prayer of some country clergyman, but which coming from the mouth of the leading statesman of the country gave evidence of a desolate prospect for the storm-pregnant future.

The weak-kneed old man, who, in the all-overshadowing question of home politics, fought the breakers with pretty speeches on the calming effect of the oil cast on them, still stood there in such self-overestimation, with such proud intellectual vigor, and such imposing purity and firmness of the political character, that he again renewed his old request to congress to endow him with extraordinary powers, in the field of foreign politics, in a tone which implied that a refusal to grant them would be a serious sin of omission, for the consequences of which he must decline, both before his contemporaries and before posterity, to assume the responsibility. To take a part in the internal troubles of Mexico, and get authorization to send an armed force into the neighboring republic "for the purpose of obtaining indemnity for the past and security for the future," — the power to establish temporary military posts in Sonora and Chihuahua, whenever it should seem necessary to him,— the free disposal of the fleet, in order to protect American interests on the inter-oceanic routes of Panama, Nicaragua and Tehuantepec,— such were his modest wishes.

It can scarcely be assumed that he had much hope of seeing them realized. It was too plain that the domestic question was taking possession, from month to month, of the hearts and the heads of the people in ever-increasing measure and in a manner which greatly weakened their susceptibleness for foreign adventures. Even what was going on in Mexico attracted by no means all the attention it deserved, although there were a good many grains of truth in what the message said about the great possibilities which might grow, sooner or later, out of it for the United States.[1] But, if it was hard or even impossible to interest public opinion more intensely in questions of foreign policy, the efforts to divert the passions of the masses from the slavery question to other and artificially created problems, efforts which had been fruitless in the past, must now of course prove entirely vain. That Buchanan was not completely unaware of this may be inferred from the fact that, in relation to Cuba, he confined himself to declaring that his views with respect to its purchase remained unchanged. Notwithstanding his renewed call upon congress to give the matter its serious attention, this created such an impression of the president's resignation, that it would have been a wonder, considering the feeling of the people, if they could have been drawn away, even for a moment, from the great question of the day, by the memory of that broken bubble. Their minds could not be turned from it, even by the exposition of the by no means brilliant condition of the finances, and the proposition accompanying it

[1] I have in mind, here, the concluding passage especially: "She is now a wreck upon the ocean, drifting about as she is impelled by different factions. As a good neighbor, shall we not extend to her a helping hand to save her? If we do not, it would not be surprising should some other nation undertake the task, and thus force us to interfere at last, under circumstances of increased difficulty, for the maintenance of our established policy." Congr. Globe, 1st Sess., 36th Congr., App., p. 5.

to increase the revenues by raising the customs duties. This question as well as the building recommended by Buchanan of an overland railway might indeed yet seriously occupy the attention of congress during this session, and then, of course, they would not fail to excite the greatest interest among the people. But the message could not make them the order of the day for public discussion, because the organization of the house was, and remained, the preliminary question, before the settlement of which no other question could be taken up; and hence all the discussions excited by the message in the press and among the people served only to fill a void.

When the message was transmitted to the house, it after a short debate resolved, as the house of representatives of the Thirty-fourth Congress had done under similar circumstances, that it should be received by the secretary and "that it lie upon the table." Then, without having heard the message read, it continued its fruitless efforts towards organization in the same way as before. The democrats now changed their candidate or candidates at every ballot, but did not advance the matter a hair's breadth by that means. Not until the 6th of January did there seem to be the slightest prospect that it would enter on a new phase of development. Winslow, of North Carolina, an administration democrat, suggested that "all the opposition parties," as he expressed it, should endeavor to come to an understanding on some common plan of action by representatives. This proposition was greeted with shouts of approval both from the benches of his own party and from the anti-Lecompton democrats and the Americans. These shouts of approval, however, were the only credentials of the ten gentlemen [1] who met on the 8th of January as a conference

[1] See their names, Congr. Globe, 1st Sess., 36th Congr., p. 430. Clark, of New York, who himself was a member of the conference committee, expressly said that it was "self-constituted."

committee, and hence every individual member of the three parties was left entire freedom of decision with respect to its eventual agreements. They felt, too, on what an airy basis they stood, in consequence. They did not come to an understanding on a candidate whom they would recommend to all three parties, but only agreed upon a compromise on the question of the resolution. That the end desired would be reached in this way was, to say the least, by no means certain, for the resolution was only a means to the end; and, from the first, there had been no difference of opinion, among the three parties, as to the fact that the election of a republican was not desirable. But why and how should an agreement as to the person to be elected follow from an agreement as to a matter meant to block Sherman's ascent to the speaker's chair? As the republicans prevented a vote on Clark's resolution by all the means of parliamentary tactics, because it did this, the democrats, for the same reason, endeavored to force that vote; but if a speaker were elected, this resolution, like all other resolutions on the election of speaker, would be wiped out. All the Americans and anti-Lecompton democrats needed to do, therefore, was to help the democrats to elect a democratic speaker, in order to make a compromise on the question of the resolution superfluous. The real difficulty did not lie in the latter, but in the fact that the two smaller opposition parties did not want an administration democrat in the speaker's chair, and it had not been possible to overcome that difficulty.[1] A compromise

[1] Winslow subsequently said: "Finding, however, that we could not agree on anything else for the present, it was suggested that we might come to a conclusion with regard to the resolution." And McRae, of Mississippi, declared without the least hesitation: "The purpose for which this committee met in the first instance was to ascertain whether the members of the committee could agree upon some one person upon whom the parties they respectively represented could concentrate their

on the question of the resolution, therefore, would have been only harnessing the mule to the wagon with his tail where his head should be.

Whether the conference committee, because they felt this themselves, wanted to surprise the house with the resolution agreed upon by them, or whether they feared that it would seem to the southern Hotspurs diluted and marred by being deprived of its personal point, cannot be definitely stated.[1] That a surprise was intended is, however, certain,[2] and this makes it sufficiently plain that the gentlemen had no great confidence in their work. One of them, Crawford, of Georgia, had even left before the resolution was finally drafted. This was an omen, whether the others so considered it or not,[3] and not a deceptive one. The hopes which some sanguine representatives might have built on Winslow's proposition were borne to the grave on the 12th of January, not precisely without any parade, nor yet during the solemn

votes, with a view to an organization of the house. That was the object of the consultation originally. It was ascertained, after long and deliberate consultation by the committee, that there could be no agreement, that there could be no solution of the question as to how the house could organize, by concentrating the votes of the different parties upon a single person. That fact we arrived at conclusively and distinctly." And the same says Hill, of Georgia: "utterly despairing of agreeing on any plan to accomplish such a result."

[1] The resolution read: "Whereas, the agitation of the slavery question is productive of no good, but solely of evil to the whole country, and its further discussion ought to be discountenanced by all parties: Therefore, resolved, that no man who has recommended, still insists upon, and does not now disclaim, the doctrines contained in the extracts from the work called 'The Impending Crisis of the South,' by one Helper, as read from the clerk's desk, and who is not opposed to the further agitation of the slavery question, is fit to be speaker of this house."

[2] Winslow subsequently said: "It was understood that the terms of the resolution were not to be made public."

[3] He was, as Winslow said, called away, but he afterwards declared that he would never have voted for the resolution.

tolling of funeral bells, but with discordant janizary music. Sherman, spurred thereto by the angry words of Houston, of Alabama, on the previous day, opened the debate, and in the course of his remarks declared that he was ready to give an unreserved account of his position on every sentence of Helper's book as soon as Clark's resolution was withdrawn; until that was done honor closed his lips, as the resolution was a personal insult to him. Clark answered that he did not at all wish to attack or wound him as a man, but that the political grounds which had made it his duty to introduce the resolution remained unchanged, and that, therefore, the fulfillment of Sherman's desire was out of the question. Then Harris, of Maryland, arose as a mediator, with the proposition that the resolution of the conference committee, published in the New York *Herald*, should be voted upon. The effect of this proposition on Clark was like that of a red rag on a bull. He angrily declared that he had known nothing of that resolution until he had read it in the *Herald;* that he did not want to know anything of it now; that he insisted on every letter of his own resolution, and demanded a vote on it as firmly as ever. Gilmer, who had been a member of the conference committee, intimated to him that he had expected this of him, but that his intention had been to "force kindly" the compromise resolution on him, and that that could still be done very well. Winslow, the originator of the whole affair, was not, however, of the opinion that it should be tried: he solemnly and completely cast off his own child. As a reason for this, he stated that the republicans, who, notwithstanding the secrecy agreed upon, had immediately received information of the resolutions of the conference committee, were greatly delighted with them, and he was mindful of the saying: *Timeo Danaos et dona ferentes.* Since the committee, as all its members averred, had never ascribed to itself any authority whatever, but

had relied solely on the moral weight which would be accorded to propositions unanimously made by adherents of the three parties, the scheme was deprived of all foundation by Winslow's declaration. This could be changed in nothing by the talking of the matter over and over again, for a long time more, and by the fact that all the members of the committee indignantly protested that they had not become guilty of a gross breach of confidence by babbling out the secret. And that Clark, so far as the alleged personal affront to himself was concerned, declared himself satisfied with the explanations received, could not have the slightest influence on the main question. What was gained here by the establishment of peace was lost by the more violent quarrels that were stirred up among others. The anti-Lecompton democrats fell together by the ears to such an extent that the entire house was drawn into the fight, and the sergeant-at-arms had to be summoned with the mace, in order to force the raging combatants to return to their seats and put an end to the disorderly scene.

The continuation of the discussion, after Winslow's declaration, was not, however, entirely fruitless. Clark, of New York, and McRae informed the house that the conference committee had drawn up a comprehensive programme, of which the resolution printed in the *Herald* was only the concluding part. The motion for its adoption was to be preceded by other manœuvres, the object of which was to unite the three parties against the adoption of the "plurality rule" if an election by a majority could not be brought about. This was a highly significant discovery, for did it not amount practically to a conspiracy against the organization of the house, since the conference committee, according to the concurrent testimony of its members, had come, after long and earnest efforts, to recognize that it was not able to find a candidate on whom the three parties could agree?

The conference committee and its programme were done away with by the debate of the 12th of January, but the southern Hotspurs did not let the wind blow this grain of seed away. They buried it so deep in the ground that they believed that, even without the co-operation of the two little opposition parties, they had made sure it would ripen into poisonous fruit. On the 19th of January the admission was wrung from them by Colfax that they had bound themselves to one another in writing to make use of all parliamentary means to prevent a plurality election. McQueen, of South Carolina, confessed that he was the author of the declaration, and it was afterwards proven that it had received fifty-eight signatures — fifty-seven democrats and one southern American. This number was sufficient to make the adoption of the plurality rule impossible, and Burnett declared that the subscribers would carry out their resolve, no matter how great the majority desiring such a rule. The gentlemen, however, could not be prevailed upon to give a direct answer to the question whether the declaration bound them to this, likewise, for if that were the case, it was an obligation not to allow the house of the Thirty-sixth Congress to organize at all, unless they were sure that a republican would not be chosen speaker. Since, as their reluctant answers to the first questions sufficiently proved, they by no means concealed from themselves the fact that the knowledge by the public of a written agreement of any kind among them was anything but promotive of their cause, they could of course not be ignorant what effects they might expect from the confession that this obligation extended so far. When even northern democrats like Vallandingham declared with serious mien that the plurality rule, which had already been employed twice, was unconstitutional, there was certainly no doubt that the public opinion of the north would almost unanimously look

upon such a written obligation as an overstepping of the line already referred to, and would consider the signers of it guilty of a revolutionary conspiracy. No democrat of the northwest, as Lamar, of Mississippi, stated when questioned, had agreed to sign the obligation, and even Vallandingham announced that, notwithstanding his views on the question of constitutionality, he would, if the case should arise, submit to the will of the majority.

Notwithstanding the course taken by the southern democrats, their northern party associates still followed their leading unconditionally. This fact was, with good reason, pointedly emphasized by McPherson, for it was certainly one of lamentable significance. But although the danger that the policy of obstruction would triumph was far from having vanished, the impression made on public opinion by the exposure of the McQueen plot had undoubtedly diminished it. And a provoking move on the chess board, made at the same time, by Brown, of Mississippi, in the senate had a like tendency. On the 18th of January he had moved a resolution instructing the committee on territories to make it the duty of the territorial legislatures, in all future bills relating to the organization of new territories, to enact adequate laws for the protection of slave property, and declaring it to be the duty of congress, if the territorial legislatures refused to do so, to interfere and pass such laws itself.[1] This view had,

[1] "Resolved, that the territories are the common property of all the states; and that it is the privilege of the citizens of all the states to go into the territories with every kind or description of property recognized by the constitution of the United States; and that it is the constitutional duty of the law-making power, wherever lodged, or by whomsoever exercised, whether by the congress or the territorial legislature, to enact such laws as may be found necessary for the adequate and sufficient protection of such property.

"Resolved, that the committee on territories be instructed to insert, in any bill they may report for the organization of new territories, a

indeed, been advocated by him and others before this; but to want to coerce the senate now by a resolution to make a formal and binding declaration of such a view must be looked upon as an intentional provocation. Among the conservative Americans of the south and the still very numerous conservatives of the north, formerly called Fillmoreans, it could not but produce the irritation of fear, for quiet was the alpha and omega of their wisdom, and no more effectual means of agitation could have been furnished the republicans. Nor could it fail to embitter the Douglas democrats in the highest degree, for its direct practical aim could only be to destroy, from the first, all possibility of the success of the efforts which it was foreseen would be made in the democratic national convention to bring about a reconciliation between the two wings of the democratic party. The longer the struggle in the house of representatives lasted, the more keenly were the elements on which its issue depended made conscious by the southern radicals how greatly this unnecessary intensification of differences was opposed to their interests. This feeling so perceptibly gained in strength that now, perhaps, no very great pliancy was any longer necessary to wrest from them the resolve finally to bring about the decision.

The democrats were the first to recognize this, and it came near insuring them victory. In the three ballots of the 26th of January, the Americans had voted for William N. H. Smith, of North Carolina. On the following day, Mallory announced that they now formally set him up as a candidate, because the opinion had been expressed in

clause declaring it to be the duty of the territorial legislature to enact adequate and sufficient laws for the protection of all kinds of property, as above described, within the limits of the territory; and that, upon its failure or refusal to do so, it is the admitted duty of congress to interfere and pass such laws." Congr. Globe, 1st Sess., 36th Congr., p. 568.

many quarters, that, by so doing, the intention would be made manifest of a serious endeavor to unite a majority of all votes on him. After Mallory, in answer to a question by Crawford, had said he was convinced that all the Americans could be induced to vote for him (Smith), Smith, of Virginia, referring to a resolution of the legislature of his state, requesting its representatives to support the candidacy of every "sound, conservative, national man," declared that all democrats could and should recognize his namesake from North Carolina as such a man, for he had never belonged to the American party, but was a whig, and had "not voted on the Kansas question pro or con." The vote was then taken. Before the result was announced, Mallory stated that all the votes of the Americans had been cast for Smith, and that it depended on the democrats to elect him. Thereupon, those of them who had not immediately listened to the appeal of the Virginian recalled their votes and transferred them to Smith. Some democrats from the northwest agreed to this only after they had been assured that he had never been a know-nothing, and others, after he had received so many votes, that his election lay with them. If the announcement of the vote could have been demanded immediately after the latter had gone over to him, Smith would have been elected. But it should either — contrary to custom — not have been allowed at all to change a vote or it should have been permitted as long as any one wished to do so. And now, three republicans from Pennsylvania, and one American from New Jersey, who had originally voted for Smith, withdrew their votes from him and transferred them, some to Corwin, and some to Pennington. The consequence of this was that Smith received only one hundred and twelve votes, while one hundred and fifteen were needed to elect him.

Two of the republicans who had given the affair this

turn defended their change of vote with the somewhat embellished declaration that they had voted for Smith because they had erroneously supposed he was a nativist. That was, of course, in the main, only a pretext. Their votes were cast for a non-republican only so long as it was certain that he could not be elected. The third, Morris, made no secret of the reason why he changed his vote, for he assigned as the cause of it the fact that, as he had heard, a change of front was contemplated by the republicans, and that another candidate would be put up.[1] Corwin, of Ohio, had declared that the republicans would not desert Sherman until Gabriel blew the last trump, and Stevens vouched for their steadfastness until the crack of doom. But Morris was correctly informed, and no one wondered at the resolve. They might indeed prefer a struggle without end to a change of their candidate, but they were not such fools as to rather be defeated with Sherman than be victorious with another; and the history of the thirty-ninth ballot forced them, henceforth, to look at the question only from this point of view.

The next sitting was on the 30th of January. Before proceeding to a new ballot, Sherman withdrew his candidacy, assigning as a reason that the election of a man who directly or indirectly supported the administration would be a national misfortune, and that it was, therefore, his duty to withdraw, since it was now certain that a larger number of votes could be united on another republican. The new candidate was Pennington, of New Jersey, of whose qualifications for the office not only the public at large but

[1] He subsequently added to this the confession that he had dropped Smith because the latter would not give him an express promise "to organize the committee of ways and means in such a manner as to protect the interests of Pennsylvania," *i. e.*, in a protective-tariff sense. Congr. Globe, 1st Sess., 36th Congr., p. 636.

even the house knew nothing, since he was now a member of it for the first time. But it was that fact precisely that, under the circumstances existing, recommended him for the speakership. The united opposition clung to Smith's candidacy. Three ballots were taken during the day, and in each of them Pennington received one hundred and fifteen and Smith one hundred and thirteen, while now one hundred and eighteen and one hundred and seventeen votes respectively were required for an election. However, one step more had been taken towards a decision, since Briggs, of New York, announced that he would eventually vote for Pennington.

On the next day Smith withdrew his name, and Reagan, of Texas, nominated McClernand, of Illinois, a Douglas democrat. That the democrats had prevailed on themselves to take up such a heretic in their own fold must be looked upon as a confession that they felt themselves in the condition of a drowning man grasping at a straw. Etheridge, therefore, thought that the next ballot would be decisive. This, however, was a mistake. But while McClernand received only ninety-one votes, the vote for Pennington rose to one hundred and sixteen, and a new vote which had been given him, had a weight peculiar to itself: a southern American, Henry Winter Davis, of Maryland, had gone over to the republicans. This practically decided the question, for now Briggs's vote sufficed to elect Pennington, and in that event he had promised it on the 30th of January. After eight weeks the struggle ended on the 1st of February, and Pennington, owing to his negative merit of being a republican without a national, political past, was elected speaker on the forty-fourth ballot, by one hundred and seventeen out of two hundred and thirty-three votes.

The Washington correspondent of the New York *Tribune* was, in one respect, right when he wrote to his paper, on the same day, that the republicans had won a

more decisive victory than they had themselves, for a long time, dared to hope for, since, up to the exposure of the written agreement of the fifty-eight, they had based their hopes only on the plurality rule, and Pennington had been elected by an absolute majority. On the other hand, Clark had, with the best of reasons, said, immediately before the last ballot, that his resolution had been by no means fruitless, for it had made the election of a signer of the Helper recommendation impossible. Owing to the splitting up of parties, some conservatives had again succeeded in blocking the way of the southern Hotspurs and in forcing the republicans to desist from their stubborn advocacy of a provoking step, and the storm was allayed quicker than it had been possible to excite it. But was Sherman justified in inferring from that fact, that the election of a republican president would be received as calmly as was now the election of a republican speaker?[1] It was not proven, to say the least, that the waves would have subsided immediately if the speaker's name was not Pennington, but Sherman, and a president had a weight in the scales altogether different from that of a speaker of the house. And was there nothing to put one in mind of the old experience, that the danger is not over, but that the mariner must be doubly careful, when, in stormy weather, the wind, after a violent blast, seems for an instant to be lulled to sleep?

[1] In a short speech to a crowd of people who came to serenade Pennington, he said: "A republican speaker is elected and no calamity comes. A republican speaker is elected, and the people rejoice. A republican speaker is elected, and stocks advance. A republican speaker is elected, and cotton is worth eleven cents a pound and upward — and may it advance higher. A republican speaker is elected, and slave property remains the same in value. A republican speaker is elected, and the Union is safe. So it will be when a republican president is elected; for in that event every right of every citizen of every state will be secured in his hands. . . . Dissolve the Union! It can't be done. Ohio, Kentucky, Tennessee and Indiana have recently met and resolved it shall not be done." The N. Y. *Tribune*, February 3, 1860.

CHAPTER III.

THE CHARLESTON CONVENTION.

The democrats had lost much by their defeat, while the republicans had gained little by their victory. In the house of representatives, a way of transacting business had, in the course of time, developed, which in ever-increasing measure, caused its committees to outgrow their original legitimate sphere, the performance of the labor preparatory to legislation. In form, and according to the law, they still remained only its auxiliary organs; but in reality, with respect to the matters referred to them, they had made themselves its masters to such an extent that it was only exceptionally that it still exercised its unquestioned right of sole and independent decision. As the democrats had a majority in the senate and as the president was a democrat, the appointing of the committees by a democratic speaker would have enabled the democrats, in this legislative period likewise, to frame legislation more or less in accordance with their wishes, although, with a full house, they would have needed outside assistance to secure a full vote in their interest. The republicans, on the contrary, were still completely powerless to carry any legislative measure whatever. Pennington's election had only made it easier for them to obstruct the path of their opponents. And the moral weight of their success was much smaller than the possibility of turning it practically to account in a positive manner, since they had been compelled to sacrifice their candidate in order to secure the election of an obscure republican.

But these were by no means the points of view from which the matter should be judged, if it was to be rightly judged. Public opinion, indeed, believed that it should

consider only the result of the struggle, and hence the wild waves subsided immediately; for that result could not possibly have any immediate consequences of great magnitude. The importance of the struggle, however, was not to be measured by the range of its result, but by the history of its beginning, development and end. The whole republican party saw with Sherman, in the submission of the south to its consequences, a new proof that that section would never allow its threats to become deeds, while the McQueen plot was a deed. Compared with this fact, the victory of the republicans, which they owed mainly to this very deed, was only a feather in the scales of fate. It was now certain that a great part of the southern representatives in congress were resolved that, if they had to choose between the loss of the supremacy of the south over the Union and the destruction of the federal government, they would decide in favor of the latter. They had not been able to carry out their design this time. But verily it should not have been inferred therefrom that they would not be able to succeed in doing so if the republicans had come into possession of the presidential chair, and the question was no longer of procuring the legislation they wanted in congress, the bigger half of which consisted of northern members, but in their respective states.

Other deeds in rapid succession followed the first one above referred to, repeating the same admonition always more urgently, and always just as little understood and heeded by the republicans.

There was a bill before the senate, zealously advocated by Jefferson Davis, chairman of the committee on military affairs, which authorized the secretary of war to sell to the states, at the request of the governors, arms manufactured in the federal workshops, at cost price. The republicans opposed this provision on economic grounds. Nothing

save an amendment moved by Fessenden, but not adopted, providing that only a quota of the entire quantity of arms that could be dispensed with, proportional to its federal population, should be sold to any state, intimated that they knew anything of other and incomparably weightier objections that might be made to the measure. But the southern gentlemen told them over and over again, to their face, that they wanted to buy the federal government's arms in order to fight it with them, in case of need; and notwithstanding this, they had a majority of eleven in the vote on the bill. "I am sorry to say," declared Mason, on the 1st of March, "that the relation in which that (Virginia) and many other states now stand to this Union (!) has put them upon the necessity of arming themselves." The legislature of Virginia had recently appropriated $500,000 for that purpose; "and the appropriations will be continued from year to year until they are fully armed and capable of meeting all resistance." The immediate erection of workshops of her own for the manufacture of arms had been ordered, and persons were being sent to Europe,[1] to see on what conditions arms could be purchased there.[2] It was scarcely possible to so misconstrue such declarations as to make them mean that Virginia considered these extensive precautionary measures necessary in order that she might be able to meet some new John Brown. If, in consequence of the unskilful construction of the sentences in certain places, there was anything obscure in them, much was said in the war of words about the election of speaker in the house of representatives which dissipated, in advance, all doubts as to their correct interpretation. Miles, of South Carolina, had cried out on the 6th of January: "The south is arming, and if it is not allowed to secede in peace, it will do so at

[1] "She is sending to Europe."

[2] Congr. Globe, 1st Sess., 36th Congr., p. 949.

the cost of war."[1] But if the south were arming, secession should no longer have been spoken of as an empty word. Arming was not a word but a deed; and the republicans *knew* that arming was no longer talked about, but was seriously being carried into effect in several states.[2] On the 7th of March, Van Wyck, of New York, said in the house of representatives: "Already you are making appropriations of thousands to build arsenals and purchase arms, and are now mustering forces, as you say, to threaten and coerce the north. . . . I judge from your military preparations, you mean force."[3] But, in the same breath, he taunted the boastful braggarts and scornfully reminded them that they had neither manufactories of arms nor of powder. And the entire republican party believed they could make terms with these facts, in the same way. False alarm! they cried all the more confidently in proportion as preparatory acts, paving the way for the decisive deed, multiplied. Hence the angry charges they afterwards hinted against Buchanan, because he allowed the fire of rebellion to burst into a bright blaze, instead of smothering it by prompt and resolute action the moment its little tongues of flame began to rise, fall back in great part upon themselves. He could arraign them, for they — although for the most part evidently more or less forced thereto — laughed loudly, because it was sought to make the people believe that the spectacle prepared for the stage by the

[1] Ib., App., p. 68.

[2] De Bow's *Commercial Review* writes in February, 1860: "In these darksome times it becomes the south to keep her arms properly burnished and her powder dry. If we have not the arms, surely self-preservation requires that they should be speedily provided. Right glad then are we to see the course pursued recently by Virginia and South Carolina in respect to this matter. Georgia is equally on the alert." XXVIII, p. 234. See, also, Ib., p. 240.

[3] Congr. Globe, 1st Sess., 36th Congr., p. 1031.

political pyrotechnists was a real conflagration; but they could not clear themselves of joint responsibility for his sins of omission by showing that their demand that the preparations of the south for a revolution should be followed, step by step, by preparations for its suppression, had fallen on deaf ears. Instead of allowing the pressure of public opinion to work on the south as well as on the president, by showing themselves as permeated with the dreadful gravity of the situation as they were firmly resolved to do justice to it, they, in their blindness, strove more earnestly to lull public opinion into a false feeling of security, the further the southern radicals carried the work of breaking down the last bridges which might have led, if only for a very short time, to a new compromise between the north and the south.

The day after Pennington's election is one of the most important in the history of this work of destruction. Jefferson Davis, by moving six resolutions,[1] had laid a plot in the senate the explosion of which, in Charleston, made the democratic national convention the beginning of the end. The first three and the last two need not be specially discussed here, not because they give no occasion for criticism, but because they only develop the well-known slavocratic doctrine on the constitutional nature of the Union with respect to slavery in essentially the same words in which it had been done numberless times before. The motion received its great significance and importance from the fourth resolution, although it, likewise, contained nothing new. It was only Brown's resolution of the 18th of January, already mentioned, in a diluted form. On the main question, they were in complete har-

[1] Ib., p. 658. In his book, The Rise and Fall of the Confederate Government, I, pp. 42, 43, Davis has not given the six resolutions in their original wording.

mony. Both declared it to be the duty of the federal government to afford slave-holders in the territories adequate protection for their slave property. But while Brown asked that, on the organization of territories, it should be expressly made the duty of the territorial legislatures to pass the laws necessary to secure that end, and that, if the territorial legislature did not fulfill this duty, congress itself should enact such laws, Davis contented himself with saying: "and, if experience should at any time prove that the judiciary does not possess power to insure adequate protection, it will then become the duty of congress to supply such deficiency."

Buchanan, in his message, had "cordially congratulated congress upon the final settlement by the supreme court of the United States of the question of slavery in the territories;" and Breckenridge had said, on the 21st of December, in a speech at Frankfort, Kentucky, that complaints were nowhere to be heard, that the question was no longer before congress, and that no man true to the Union had any reason to bring it before that body again.[1] Both the senators from Mississippi had now torn in two these consoling assurances of the president, whose unalterable fidelity had been borne witness to on every occasion by the slavocracy, and of the future presidential candidate of the southern wing of the democratic party, and cast them into the waste-basket together with the other false promises of peace. Brown had not only done so by his

1 "In the present condition of public affairs, I can see no motive to thrust the territorial question on the congressional arena, that has its origin in a feeling of loyalty to the Union. At present, the slavery question, in this aspect of it, is not before congress. No southern senator or representative proposes legislation on it. No complaint of violated rights comes from any territory. No evidence is offered that the constitution, the laws and the courts are not competent to protect personal right and private property." Congr. Globe, 1st Sess., 36th Congr., p. 837.

resolution, but clearly and curtly said that he was doing it. As early as the 3d of January, he had said that he and his party were irredeemably lost if they approved that part of the message; that the Dred Scott decision could afford them no security. The majority of the supreme court of the United States had passed their seventieth year; their days were numbered, and with them their decision would sink into the grave, if their vacated seats were filled with republicans. "If we can have no more slave states, then twenty years will not pass before a change of the constitution will enable the anti-slavery sentiments of the north, under the forms and guaranties of the constitution, as amended, to overthrow slavery." But we can get no more slave states if slavery be not placed under the protection [1] of positive legislation.[2]

All this was irrefutable, but it was only saying, in different words, that the slavocracy could not see in the constitution itself a sufficient guaranty, because it was possible, in a constitutional way, so to change it that the direct legislative combating of slavery might yet be constitutional in the states. This no judicial decision was able to alter, but a law or a resolution of the senate could change it just as little. Hence the correct final inference from Brown's proposals was that only a change of the sentiments of the north with regard to slavery could afford full and lasting security to the slave states.

Davis, too, referred to this, the kernel of the whole question, when, in his second resolution, he denied the right of the north to bring about a "change of opinion or feeling" with respect to slavery in any way. He did not, however, like Brown, ask for immediate fulfillment of a demand which could have been granted only by the north, if that change

[1] "Not meagerly and stintedly dealt out, but fully and freely."

[2] Congr. Globe, 1st Sess., 36th Congr., pp. 299, 300.

of feeling had taken place to the advantage of the slavocracy, but was satisfied with the laying down of the principle from which the demand might, in case of need, be directly deduced. He merely stated what the duty of congress was, while Brown had given a very precise answer to the question, how it was to be performed: congress must pass laws to protect slave property in the territories, if the territorial legislatures do not do so; and he left it undecided whether the action of congress would be necessary, while Brown had demanded that the senate should immediately bind itself by a formal resolution to provide all future territories, directly or indirectly, with laws protective of slave property.

Clingman subsequently called attention to the fact that Brown had found no support even among the senators from the southern states. He intimated at the same time that this was to be ascribed to the certainty from the first that the resolutions would be rejected; but he frankly declared his conviction at the same time that the representatives of the south, even if the matter lay entirely in their hands, would consider long and well whether they should act in the premises. What the south needed, he said, was not slave territories, but slave territories out of which slave states would be formed. What was forced upon a man against his will he would shake off as soon as he could, and hence the end sought could not be reached by the means proposed by Brown; an effect the contrary of that intended was to be expected.[1]

Clingman, therefore, reached the same result, so far as the main question was concerned, as Douglas, but not in the same way. But did not the slavocracy take as their pattern the man who cut off his nose to spite his face, when

[1] Congr. Globe, 1st Sess., 36th Congr., p. 1963.

they obstinately tried, at any risk, to obtain the recognition and enforcement of the right they claimed — a right, the exercise of which could never promote their interests, and would presumably injure them?

It is certainly not improbable that Davis did not exclude these considerations from his mind, although he was scarcely thankful to Clingman for expressing himself so frankly about them. But the cautious and diplomatically vague construction of his sentences was determined by other reasons. No senator from a northern state could vote for Brown's resolutions, while it could be presumed that only Douglas and his followers would object to Davis's fourth resolution. And this was the object of the whole manœuvre: to have the solid representation of the south, in unison with the administration democrats of the north, proclaim in a formal manner a constitutional principle, the recognition of which Douglas had, a hundred times and in such a way that it could not be recalled, declared to be simply impossible now and for all future time. The question was to be made a party matter in order to force on the Douglas democrats the alternative either of abandoning their leader, or of allowing — at least for the next presidential election — the two fractions of the democratic party to consolidate into two hostile parties: the democratic caucus made the resolutions their own.[1]

[1] Ib., p. 2153. On a motion made by Toombs, and with Davis's consent, the adoption of the fourth resolution was made still easier for the northern senators by modifying the words: "it will be the duty of congress to support such deficiency," by the addition of the phrase, "within the limits of its constitutional powers." Davis, The Rise and Fall of the Confederate Government, I, p. 43. Congr. Globe, 1st Sess., 36th Congr., p. 2349. That no duty of congress could go beyond the limits of its constitutional powers was self-evident. The value of the modifying phrase consisted in the fact that doubts as to the recognition of the constitutional duty of congress to act in favor of slavery in the terri-

Douglas subsequently charged Davis and his associates with the presumptuous and perfidious intention of dictating the democratic party confession of faith to the Charleston convention. Davis would not admit that this was true, but could only allege against it that he had moved the resolutions entirely on his own responsibility, and had previously informed only a few friends of their contents. His allegation may have been correct, but nothing followed from it with respect to the charge made against him. Douglas, on the contrary, to prove it, might appeal to the fact that in the caucus no fewer than twelve southern senators had put that interpretation on Davis's design, and had therefore advised against it. Davis was compelled not only to answer this assertion with eloquent silence, but was also obliged to admit that it had been resolved not to begin the debate in the senate on the resolutions until after the Charleston convention, in order not to afford a pretext for the objection that it was desired to usurp the rights of the party delegates elected *ad hoc* and to hamper the convention's freedom of action. He gave the assurance that it had happened contrary to his wish, for he had not shared the fear that there was any danger whatever to be apprehended from so ungrounded a suspicion, and he acted at the same time as if the charge was shown to be entirely baseless by this unnecessary consideration. But so far as the moral pressure

tories might be met with the fallacy that it was nowhere said that that duty required the enactment of positive protective laws, but that such laws were rather expressly prohibited, if the authority of congress, according to the right interpretation of the constitution, did not extend so far; the resolution in no wise anticipated the decision of this question, and in the face of the express declaration that congress had to perform its contingent duty of intervention within the limits of the constitution, to talk of unconstitutionality was an evident absurdity.

that could be exercised from the senate wing of the capitol at Washington on the democratic convention was concerned, a vote of the senate and a caucus resolution were of entirely equal value. There was a difference between them, not with respect to effects but only as to appearances; and as the preservation of appearances by the postponement of the debate in the senate was also in the interest of Davis and his followers, if they had the intention imputed to them by Douglas, it must be looked upon as proved, that at the bottom of the caucus resolution lay the intention of which they must expect to be accused, if they immediately brought about a vote of the senate.[1] Or was it desired to make the people in their ingenuousness believe the absurdity that a party caucus of the senators, immediately before the national convention, would have drafted so significant a resolution without any regard to its probable effect on that body? That the convention was had in mind in the caucus was proved by the fact mentioned by Douglas. But if no influencing of the convention were intended and nothing were lost by the postponement of a vote in the senate, then it could not be claimed that there was any danger in delaying a caucus resolution. And how fully conscious these democratic gentlemen were of the extraordinary importance of what this convention did or failed to do with respect to the destiny of the party and the country, was sufficiently apparent from several energetic attempts made to obtain an adjournment of congress while the convention lasted, in order to afford members of both

[1] In Davis's work the resolution and two of his speeches on them are printed — the one in part and the other in full — but he does not devote a single word to this question. In his two large volumes he has indeed shown himself a master in the art of keeping silent on what is most important in order to dwell, at dreary length, on the doctrine of state sovereignty.

houses an opportunity to go to Charleston and to cast the weight of their influence directly into the one scale or the other of the balance.

To deny that the resolutions were meant for the ears of the Charleston convention was to dispute the existence of the mid-day sun. Still, Davis should be made to bear only a very small part of the responsibility for the consequences of the realization of their fundamental idea, although there is no reason to doubt the exclusive paternity of the resolutions which he claimed. The importance of the resolutions must not be undervalued, but of course the thing most material is the idea the realization of which they were intended to serve, and the responsible fame of being the father of that idea cannot be connected with any one definite name whatever: the frightful burthen lies on numberless shoulders, and the names of the most of the accomplices have never been heard of outside of a very narrow circle. Davis and the caucus of the democratic senators endeavored, indeed, to dictate to the Charleston convention what its programme should be, but it was not issued by them to the world as something new. It had long been discussed in the entire country. The only thing that for quite a long time had been considered doubtful was, whether the carrying out of it would be successful, but not whether it would be tried. And from week to week the number of those grew continually smaller, who with ex-President Tyler were firmly convinced that the breaking up of the convention would not succeed, but that the means employed in Harrisburg twenty years before would be tried again, and a candidate set up without a party platform. And even where people had not with Tyler turned things upside down, by fathering the intention which undoubtedly existed of breaking up the convention on Douglas, this consoling prophecy could indeed

spring only from the wish to see that intention realized.[1] That prophecy indirectly admitted that he (Tyler) too considered an agreement on a platform impossible, and to carry on the electoral campaign as a solid party notwithstanding this fact, they had of course to be willing to purchase the continued external existence of the party at the price of one and only one party platform. But they were not willing to do this. Iverson had announced that fact to the Charleston convention and to the entire country in the senate as early as the 9th of January, in terms so plain that the declaration could not be misunderstood, much as people might wish to be able to lull themselves still further into optimistic self-delusions.[2] And the resolve to force upon the conven-

[1] He writes on the 19th of January, 1860, to Robert Tyler: "I think he (Gov. Wise) will carry the electoral vote of Virginia in the convention; but even if he and Douglas should be inclined to break up the convention, of which I should entirely disapprove, my belief is that neither will be permitted to do it, even by their supporters. The condition of the country is altogether too critical for this. Some man will be nominated without a platform, which at most is a useless thing. We had in 1839–40 far greater dissensions at Harrisburg, and a platform would have shattered us to the winds." Tyler, Letters and Times of the Tylers, II, 557. It may indeed be assumed that his judgment of the situation was not entirely uninfluenced by the illusion that, even if not probable, it was still possible that he might himself be chosen in Charleston as the standard-bearer of the party. On the 6th of October, 1859, he had written to Robert Tyler: "I am daily, when in the midst of men, met with the inquiry, Will you accept the nomination at Charleston if it should be conferred? I have answered, it will be time enough to respond when it takes place. Mr. Mann, of Washington, is a friend of the movement. He should be there; so should De Bow. I have not heard from John for some time. But I ask nothing, I can almost say I desire nothing. The historic page is the most that I look to, and that would be embellished by the thing, and would impart to it value. Things are too terribly out of sorts, and he who undertakes to put them right would assume or have thrown upon him a fearful responsibility." Ib., p. 553.

[2] "And, sir, I say now to the senator from Ohio (Mr. Pugh), and all

tion the choice between a breaking up, and unconditional acceptance of the new slavocratic doctrine, was not only announced in language unadorned, but its execution was already fully assured before Davis had called upon the democratic senators to approve it indirectly in advance, by endeavoring to pledge the party to the principle of that doctrine by the adoption of his resolutions. On the 11th of January, the democratic convention of Alabama, in Montgomery, had "expressly instructed" the delegates of the state to the national convention to withdraw therefrom if it refused to adopt the doctrine named as the official party creed before it nominated candidates.[1] When, therefore, the national convention met in Charleston on the 23d of April, the only remaining question was, how many delegations would follow the example of Alabama. For although in consequence of the old party custom of requiring a two-thirds majority for a nomination, it was at least very unlikely that the Douglas democrats would win an indispu-

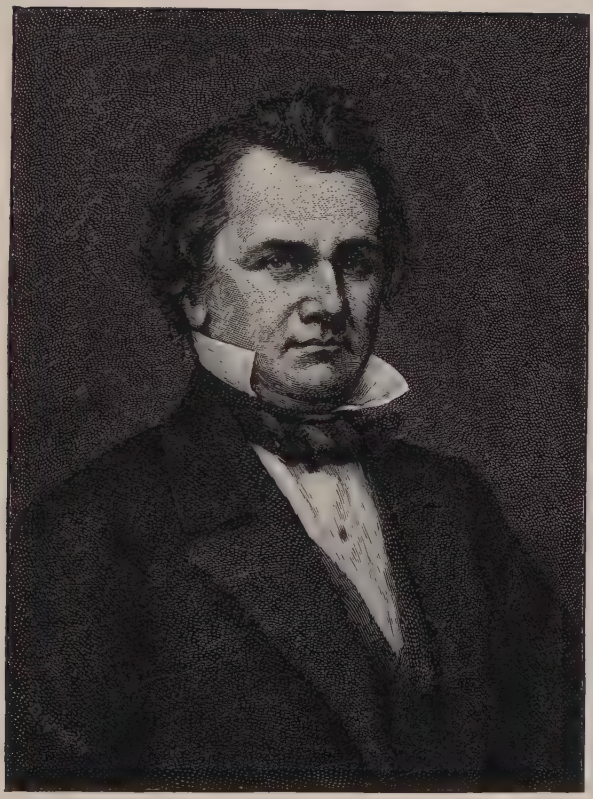
the northern democracy, that, in my opinion, the southern states ought, in the Charleston convention, to demand the plain and unmistakable recognition of these rights of the southern people in the territories of the United States as a condition precedent to any party affiliation with the northern democracy; and should the delegates from the free states refuse to recognize these rights, then, sir, the southern delegates should no longer hold political associations with them; but withdraw from the convention and take steps to rally the southern people in the formation of a party at home, which should be based upon the simple and sacred proposition of equality in the Union, or independence out of it." Congr. Globe, 1st Sess., 36th Congr., p. 382.

[1] "Resolved further, that our delegates to the Charleston convention are hereby expressly instructed to insist that said convention shall adopt a platform of principles, recognizing distinctly the rights of the south, so asserted in the foregoing resolutions; and if the said national convention shall refuse to adopt, in substance, the propositions embraced in the preceding resolutions, prior to nominating candidates, our delegates to said convention are hereby positively instructed to withdraw therefrom." Garrett, Reminiscences of Public Men in Alabama, p. 692.

table victory, it was certain from the start that they had an absolute majority of all the votes. The adoption of the slavocratic programme could therefore be effected only on condition that a part of the Douglas democrats, despite the great moral support to be found for the weak-kneed in the consciousness of having the fundamental democratic principle of the rule of the majority on their side, would allow themselves to be terrorized into sacrificing not only their candidate and their principles, but presumably their own political position also.

At first, however, everything seemed very favorable to the south. The man elected president of the convention was Caleb Cushing, Pierce's attorney-general, who, even before the Dred Scott decision, had in an official opinion declared the Missouri compromise to be unconstitutional. In these national conventions, the members of which are numbered by hundreds, who for the most part never before saw one another, and who play for the highest political stakes under the eyes of an excited multitude of spectators, it is never indifferent in what kind of hands the guidance of their business lies; and the more divergent the views and interests of those composing them are, the more important is the chairmanship. The slavocracy must, therefore, have highly appreciated the fact that the chairmanship was given without opposition[1] to the adroitest, the readiest and boldest partisan they had among the northern delegates. The exaggerated emphasis and the convulsive pathos with which, in his address, he claimed the certainty of victory over the "permanent, traitorous, sectional conspiracy" betrayed, however, only too plainly, how small his own hope was that he would succeed in manœuvring his colleagues from the northern states who had not like him boasted of their

[1] Cushing was elected with but one dissenting vote. Official proceedings of the Democratic National Convention, p. 15.



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absolute power of resistance against the poison of the "stupid and half-insane spirit of faction and fanaticism," out of their majority position into a minority one. "We will do it, for we will not despair of ourselves." Could a promise of a victory sound more like a cry of despair?

More significant than Cushing's election seemed the second achievement of the south. The conservative majority of the convention got only a minority in the platform committee.[1] On the other hand, the contest between the double delegations from New York and Illinois was decided in favor of the Douglas men, and that might easily be of much greater importance so far as the results of the convention were concerned; for the minority did not submit to the majority, but appealed to the convention by bringing in a report of their own. The recommendation of the majority (Avery, April 27) was to the effect that one more resolution on the territorial question, favoring the new demand of the south, should be added to the Cincinnati platform of 1856. The minority report, on the contrary, accompanied the ratification anew of the Cincinnati platform by pointedly calling attention to the fact that that platform had been adopted unanimously four years before, and that "democratic principles" were unchangeable in their nature when applied to the same subject-matter. To this was added the declaration that all questions concerning rights of property arising under the constitution in any of the states or territories were by their very nature subject to judicial decision, and that the democratic party was bound to submit, with respect to such questions, to all past and future decisions of the supreme court of the United

[1] According to the twenty-eighth annual report of the American Anti-Slavery Society, page 4, sixteen against seventeen; according to the official proceedings, etc., page 38, the majority report, however, had only fifteen signatures.

States. Lastly, both reports strongly recommended the acquisition of Cuba at the earliest possible moment; the only difference between them on this question was that the minority report expressly demanded conditions honorable to the United States and just to Spain.[1]

The Douglas democrats, therefore, were very far from imagining that the slavocracy would yield anything of what had been previously conceded to them; only they would not grant all the new demands the slavocracy made. The New York *Tribune* rightly remarked that more was offered the south in the recommendations of the minority than it had ever before received from a national convention.[2]

The convention resolved to make another attempt to come to an understanding. A successful result, however, was considered so improbable that the motion to refer the reports back to a committee was adopted by a majority of only one vote (one hundred and fifty-two against one hundred and fifty-one). The committee again failed to agree upon a common proposition. The two parties only modified their respective recommendations, and this more as to their form than as to their substance. The majority made their demands in terms still more precise and definite, while the minority now declared the decisions of the supreme court conclusive, because differences of opin-

[1] "Honorable to ourselves and just to Spain."

[2] "This platform, it will be observed, is decidedly more pro-slavery than any one ever before adopted in any national convention whatever. Yet, four years ago, when the predecessor of this convention met in Cincinnati, Beriah Magoffin, now governor of Kentucky, brought to that gathering a draft of what he thought the south ought to demand; but put it aside unsubmitted because (he afterwards told a friend) Mr. B. F. Hallet, of Massachusetts, chairman of the platform committee, reported a platform more favorable to the south than he (Magoffin) had thought proper to ask. And now, when the northern democracy readily offer all that and more, the south rejects it and demands still more, under penalty of disruption and defeat."

ion prevailed in the party with respect to the territorial question.

People were now generally convinced that further efforts to bring about an agreement were useless. The arts of persuasion, argument, appeals to patriotism, interest and fear — everything was exhausted; it must at last be decided to count the votes and thus reach a decision.

On the 30th of April, by a vote of one hundred and sixty-five against one hundred and thirty-eight, it was resolved to substitute the minority for the majority report.[1] In this way the practical decision was given. The vote on the platform itself was, at bottom, only a matter of form. The only thing noteworthy is that all that was done was to indorse the Cincinnati platform. The plank referring to the decisions of the federal supreme court, proposed by the minority of the committee, was rejected by an overwhelming majority. The southern delegates voted against it because they did not want to take anything unless everything they had demanded was given them, and the northern delegates because they considered it useless or undignified to force on the south a concession which they scornfully repelled.

Had the southern delegates expected that the majority of the Douglas democrats would to the last successfully resist all attempts to divide them, and how many of them had wished that they might do so? John Cochrane, of New York, relates that one evening a conversation he was having with Bayard and Slidell, on the threatening course of things in the convention, was interrupted by the appearance of Yancey and Knox Walker. Slidell had taken them into an adjoining room, and, when after a long time he returned, gave the gladly welcomed information that he had succeeded in convincing the two gentlemen from Ala-

[1] In the majority there were twelve from the slave states, and in the minority thirty from the free states.

bama that the south had the power in its hands so far as the nomination was concerned, because Douglas could not unite the requisite two-thirds majority on himself. Hence the Alabama delegation would not secede from the convention. But the first business the convention had to consider the next day was Walker's announcement that, in accordance with the instructions referred to of the state convention, he had to declare the withdrawal of the Alabama delegation. Cochrane infers from this that the "Union men" of the south had honestly and earnestly endeavored to prevent the breaking up of the convention, which was a matter resolved on in advance by the "Fire-eaters," as a precondition of a successful revolution.[1] According to this, Slidell had proved himself in this critical moment one of the most active "Union men." Others, on the contrary, insisted that he was the arch conspirator, in whose hands in Charleston all the wires of the secessionists met.[2] And there is a possibility of harmonizing this view with Cochrane's story. Slidell, in that nightly scene, may have purposely deceived him and Bayard as to the real intentions of the Alabama delegation — not, indeed, to lull them into a false security, since they could not have stopped the downward course of the rolling stone, but because he could most effectually promote the aims of the Fire-eaters, if he wore in the shameful play the mask of an active and devoted friend of the Union. Cochrane,

[1] Speech of November, 13, 1861 — "Arming the slaves in the war for the Union" — before his regiment, and Magazine of American History, XIV, p. 150.

[2] Thus, for instance, Haskin, of New York, said in the house of representatives on February 23, 1861: "He was the master spirit and director of the secession movements at Charleston and Baltimore, and in the organization of the seceders into a party, the mission of which was the ultimate formation of a southern confederacy." Congr. Globe, 2d Sess., 36th Congr., App., p. 265.

however, who was no unprejudiced listener, may have interpreted Slidell's words to mean more than they were intended to convey. His ardent wish might easily transform a confidently expressed hope into a definite promise. And a partial misunderstanding might all the more easily arise, if Slidell were neither so zealous a friend of the Union as Cochrane believed, nor the disguised secessionist on principle that others considered him, but one of those whom it needed only a very little pressure to induce to go with the secessionists on principle, *à la* Yancey, but who would now have preferred any way of untying the knot of the problem, in accordance with their own way of thinking, to the cutting of it. The great majority of the southern delegates unquestionably belonged to this class; but they must follow the extremest minority, because the latter had the courage of the initiative, and because the situation compelled every one to come to a decision the moment any one had gone from words to deeds, and the adoption of the minority platform had made the untying of the knot in such a manner as to suit the south an impossibility.

Murat Halstead, the representative of the Cincinnati *Commercial*, had written in his letter of April 29th: "The Douglas men came here with a regular programme, with a powerful mass of instructed delegates and an enthusiastic corps of outsiders. The south and the administration forces came without a candidate, a programme, or even a conceit of a policy. They have rested secure in the idea of their strength. The force of the zeal and imprudence of the Douglas men amazes and confounds, while it exasperates them."[1]

There was much truth in this, but the main thing was forgotten. The southern delegates, with only few exceptions, had become united on, and had a clear conception of, whom and what they did not want, and hence it was cer-

[1] Caucuses of 1860, p. 59.

tain from the first that the Douglas men could only quit the service of the slavocracy, but could not win the victory.

The example of Alabama was immediately followed by the delegations of Mississippi, Louisiana,[1] South Carolina, Florida and Texas, three delegates of Arkansas and two of Delaware. On the following day, twenty-six representatives of Georgia and the rest of the delegates of Arkansas joined the seceders.

The spokesmen of the delegations accompanied the announcement of their withdrawal with short speeches which contributed to clearing the situation. In the debates on the platform, the Douglas democrats had been repeatedly reproached for refusing to define the attitude of the party towards the territorial question in an undoubted manner; for, since the Cincinnati platform was notoriously very differently interpreted by them and by the south, its confirmation anew left everything in complete uncertainty; it must now receive an authentic interpretation. The reproach was fully justified, but the motion of the majority of the committee in its original shape had not by any means introduced the clearness demanded into the dark question. The motion in its original wording had only said that a territorial legislature had no "power to destroy or impair the right of property in slaves by any legislation whatever." Not until it had received its final form did it speak likewise of "the duty of the federal government in all its departments to protect, when necessary, the rights of persons and property in the territories." But that the recognition of this positive duty of the federal government was the decisive point, and not, as it was at first sought to make people believe, that all that was asked was the disavowal of the Douglas doctrine on the powers of the territorial legislature, was first proven in those speeches in such a way

[1] All but two delegates.

that the fact that the democratic party had been dashed to pieces on this rock could never again be denied or even obscured. But this, too, gave assurance that the mass of the Douglas democrats approved the resolves of their representatives and would stand by their leaders to the end despite all threats and all allurements.

The rump of the convention did not for a moment feel tempted to give up their cause as lost. If the Douglas democrats had come to Charleston with as impudent a feeling as Halstead claimed, they must have harbored the insane idea that the Fire-eaters would not redeem their word, or would, in the worst supposable case, carry with them only a small part of the southern representation. They were not now overjoyful, for, after the secession of eight delegations, one could entertain no further illusions as to the gravity of the crisis on which the party, and with it the country, had been made to enter. But there was no going backward, even if it had been wished to do so; and men did not want to go backward, for the very reason that, in the excitement created by the struggle, defiance and the proud feeling over the fact that finally they had not shown themselves "Dough-faces," and that they had resisted the dictatory assumption of the south, outweighed anxiety for the future. The convention now proceeded in the usual manner to the nomination of candidates, as if nothing unusual had happened. But in every respect it acted as if the integrity of the party had not been affected by the withdrawal from it of the representations of four states. On motion of Howard, of Tennessee, it was resolved, by one hundred and forty-one against one hundred and twelve votes, that a two-thirds majority of the electoral votes of the states still represented should not suffice for a nomination, but that a two-thirds majority of the whole electoral

body should be required.[1] The number of the seceders was not great enough to make the fulfillment of this condition impossible. The total number of electors was three hundred and three, and hence two hundred and two votes were necessary for a nomination, while the still present delegations had two hundred and fifty-two votes. But Slidell's claim that the slavocracy would be able to prevent any nomination not acceptable to them was well grounded; and the secession had not changed that fact, since, according to Howard's motion, the votes of the seceders would count just as if they had been really cast. After fifty-seven fruitless ballots, with one hundred and fifty-two and one-half as the highest figure reached by Douglas, the convention adjourned on the 3d of May to meet at Baltimore on the 18th of June, having previously summoned the states, whose delegations had withdrawn, to fill the "vacancies." If this summons were not obeyed the convention must remain a rump, since the seceders had burned their ships behind them; for they had met in a convention of their own under Bayard's chairmanship, and had adopted the Avery platform. They postponed all further resolutions by adjourning to meet in Richmond on the 12th of June.

Opinions differed widely as to what the further development of the struggle would probably be. But there was no difference of opinion on this, that in the whole history of the Union, from the adoption of the constitution to the present, scarcely an event could be found that could be compared in importance with this event of the Charleston convention: two platforms and no candidate. What future was the country facing, even if further reflection could bring both factions to yield so far that that which had

[1] This important question was decided, in accordance with the views of the slave states still represented, by the vote of New York. Proceedings, p. 141.

completely miscarried in Charleston might be achieved in Baltimore? How long can the shivered fragments, cemented together again, bear the weight under which the originally sound body was shattered? And where could even the slightest indication be discovered that another effort would be made earnestly and in good faith to cement them together? If what had taken place in Charleston had been the work of only a few politicians, the powerful pressure of an undivided and decided public opinion might have compelled the making of such an effort. But what had taken place there was in harmony with facts as they existed and with the views that prevailed in the party in the different parts of the country; and hence the pressure of public opinion, where it could have any power to bring about an understanding, took the very opposite direction. Halstead had written on the 1st of May, from Charleston, that demonstrative jubilation over the secession filled the whole city.[1] The Charleston *Mercury* was telegraphed from Savannah that the event had been greeted with "unbounded enthusiasm," and that a salute of a hundred cannon shots had announced it to the people.[2] Similar news came from Montgomery. And among the Douglas democrats there were no signs of awakening remorse. Rather did they carry their heads higher than ever before, for they felt more than the facts warranted them to feel that they had won a great victory. Such a victory, in truth, they had won only over the "old Adam" in their own breasts. But the recollection of their voluntary servitude for years made this appear a glorious deed in their eyes. The poison of

[1] "There was a Fourth of July feeling in Charleston last night — a jubilee. There was no mistaking the public sentiment of the city. It was overwhelmingly and enthusiastically in favor of the seceders. In all her history Charleston had never enjoyed herself so hugely." Caucuses of 1860, p. 76.

[2] Twenty-eighth Ann. Rep. of the American Anti-slavery Society, p. 7.

the "spirit of faction and fanaticism" had, in very deed, crept into their veins further than they had themselves suspected. This was manifest from the pleasure they found in their new role as unbending opponents of further slavocratic pretensions. And this pleasure was so great that they were not entirely unsusceptible to the praise which the common enemies of both groups of the democratic party lavished on them on that account, although fully conscious that the fruit of their virtue and fidelity to principle might be the triumph of these very enemies.

The republicans, naturally, were just as far from forgetting this, and hence the jubilation with which they greeted the events in Charleston was, of course, occasioned mainly by the prospects these events opened to them. Hence the object, in part, of the recognition they accorded the Douglas democrats was to stir up the fires of dissension in the slavocratic camp. But it is equally certain that their attitude towards the question was determined also by higher motives. As on the one hand they allowed that recognition to be merely a limited one, not alone because every political party is wont to consider it a demand of its own self-interest never to exceed certain narrow bounds in its favorable criticism of the opposing party, but because the merit of the Douglas democrats really consisted only in not having added to their old and still unexpiated sins a new and greater one, so they felt on the other hand, independently of the consequences which it would possibly or even probably have for themselves, the liveliest satisfaction over the downfall of the democratic party, because it must in any event become a gain for the good cause which could not be overestimated?

It has been repeatedly pointed out that the ever-increasing demands of the slavocracy sprang from a consciousness of weakness. In order to hold their ground they had to

rule, and they could rule only on condition that so large a part of the population of the northern states entered their service that the north would lose its preponderance. But this condition could never again be fulfilled; and in this lay the enormous significance of the fact that the Douglas democrats had held their ground. It was certain, on the one hand, that even the platform advocated by the majority of the committee could not contain the last demand of the slavocrats, and, on the other, it was not possible to exercise within a party a more powerful pressure than had been exercised in Charleston. In a letter of the 20th of December, 1860, to Yancey, Raymond proved that the territorial question, in the form it had hitherto assumed, was finally disposed of; that it was dead so far as the south was concerned, because, in the struggle for Kansas, it had become convinced that it had not slaves enough to be able to compete successfully in the settlement of a territory. Hence to grant the south *de facto* the exercise of the right it claimed was of no value to it. It made its remaining in the Union dependent on the unconditional recognition, on principle, of that right, because the slavocracy could attain their end only provided all the logical consequences of the principle were drawn, that is, only provided the restitution to the slave states of the right they had surrendered of importing slaves could not be refused them.[1] That this was a logical consequence of the admission of the principle could not be disputed, and was scarcely disputed by a single politician of the southern states. Those who did not belong to the extremists who had already plunged into the open agitation for the reintroduction of the African slave trade, nor to the conservatives who had found rest for their souls by closing their eyes to the irresistible course of things, and who were, therefore, silent on this question, boldly assured the country

[1] Maverick, H. J. Raymond and the New York *Press*, p. 403.

that the south did not think and never would think of demanding that the logical consequence of that principle should be carried into practice. But the whole history of the world knows no people who ever with full consciousness staked all their material interests and all else that was dear to them for "a mere abstraction," and the representatives of the slave states, who from the earliest period had been politicians of the realistic stamp, could least of all have fallen victims to such sublime insanity. And now in the national convention one of their own number arose and told them so to their face before the whole nation, as plainly as it had been so frequently told in recent years by a part of their press, in their trade conventions and in some of their legislatures. The speech of Gaulden, of Georgia, in favor of the African slave trade was only a fuller elaboration of Raymond's points — highly spiced with the coarse wit of cynical brutality, for which the meeting showed itself truly grateful by repeated applause and boisterous laughter.[1] If the most powerful means of pressure which the slavocracy could employ proved insufficient to make the "abstraction" acceptable to the democrats of the northern states, how could it ever be possible to govern the Union by a national party which advocated the logical consequences of that abstraction.

The New York *Times* had written, immediately after the secession of the eight delegations on the 2d of May: "The democratic party is the last of the great national organizations to yield to the irrepressible conflict which slavery and freedom have been waging for control of the federal government. The churches of all denominations have given away one after another to the pressure. The

[1] The often quoted speech in which Gaulden promised to show "the pure African, the noblest Roman of them all" to the gentlemen on his plantation, is printed in Greeley, The American Conflict, I, pp. 316, 317.

whig party went down before this new and resistless influence some years ago; the American party melted before it like wax in the flame; and now the democracy has also yielded."

Yes, the last national organization! Never, said Benjamin, on the 8th of May in the senate, had his heart been so grieved as when he heard the news from Charleston; for, at the first moment, one could not but believe that this "last national organization" likewise had been broken up into a northern and a southern half, and that with its disruption the day of terror of the disruption of the Union had come. But, he continued, on closer examination, it appeared that not only the two states beyond the Rocky Mountains would have unanimously stood by the south, but that the majority of the delegations of two other northern states, besides several individual delegates, would have gone with it if the instructions they received had not coerced them.[1] Benjamin thus only described the fruitless endeavor of a bankrupt, whom ruin stared in the face, to figure out for himself on paper a fortune from the amounts due him by insolvent debtors. To take the individual delegates referred to by Benjamin into the account was, at least so far as the presidential election was concerned, wholly senseless; since with powerless minorities no electoral votes could be gained. And that these delegates represented only a minority of the party in their states was evident from the instructions of which Benjamin complained. The official record of the vote in the Charleston convention afforded an answer, and the right one, to the only question, so far as the future of the country was concerned, of paramount importance, that is, whether the south would continue to find in the north a following sufficient for it to rule the Union. But, of the one hundred and eighty-three

[1] Congr. Globe, 1st Sess., 36th Congr., pp. 967, 968.

votes of the northern states, one hundred and fifty-three had been cast for the platform of the minority; and the vote of thirteen states had been unanimous. If a judgment were to be formed from the main practical consequences of this fact, one could not but be convinced that the democratic party had certainly been rent into two geographical sections. Whether the slender threads that still held these sections together would not yet become of great importance, and of what character that importance would be, were questions which were still involved in the darkness of the future. For the present, they served only as a living witness that the sections had long been a living whole.

Only from the fear of the effects of the disruption of the democratic party into two geographical sections could the vain endeavor spring to argue one's self and others out of the belief that it had taken place. That all attempts that might be made to bridge over the yawning chasm of the slavery question with a new national organization would be unsuccessful was no less certain than the collapse of the last existing national organization into two geographical halves. A new epoch in the history of the Union must, therefore, date from the 30th of April, 1860, because the supremacy of the slavocracy, which had hitherto determined its character in an ever-increasing measure, was not only lost but irretrievably lost. Yet the thing decisive of the question, what character the new epoch would bear, was that the loss of the supremacy changed the attitude of the slavocracy towards slavery in no respect, and could change it in no respect. It was a terrible misfortune that this was so little understood in the north, and that its frightful meaning was so little appreciated there.

In the article quoted from the New York *Times* we read further: "In every struggle hitherto, the slave interest has maintained its ascendency in the ranks of the democratic

party. It has now been defeated. The northern section of the party has asserted its power, and, with new and unlooked-for firmness, has maintained its position. If it stand still in its present attitude the sectional contest is over."

The staff of support which the slavocracy had for decades found in the democrats of the northern states had become in its hands a scepter of brass, and it was now supposed it would look upon the breaking of it with the philosophic equanimity described in the old saying about spilt milk. "Of course," wrote Clay, of Alabama, on the 15th of November, "we cannot live under the same government with these people unless we could control it."[1]

[1] The New York *Tribune*, November 30, 1860.

CHAPTER IV.

THE CHICAGO CONVENTION.

In a letter of the 15th of April, Crittenden had written to Hunton,[1] summing up his opinion on the situation by saying that not only must the Charleston convention, under any circumstances, result in "a great schism" of the democratic party, but that the supporters and opponents of Seward's nomination in Chicago would come into violent conflict with one another, and that, therefore, their new Union party ("our new Union party") should be confident of the adhesion of the numerous malcontents in both the old ones. If this expectation were fulfilled, and if the number of the malcontents were great enough to carry the "Union" candidate into the White House, the worst of all possibilities would have happened; for that party represented the degeneration and debasement of the struggle, so far as principle went — its sinking into the mire. The Fillmoreans of 1856 were the foundation of the new party's structure, and from the Fillmoreans it accepted unchanged the programme, based on principle, of having no programme. In a speech delivered in Milwaukee, on the 26th of May, Schurz called it the "party of dry hearts and dead weights."[2] Many of them afterwards proved that their hearts were not so dry as might now be supposed; but dead weights they were indeed, and nothing but dead weights.

On the 9th of May its convention was called to meet at Baltimore. The nominations were made almost without a struggle: John Bell, of Tennessee, for the presidency, and

[1] Coleman, Life of Crittenden, II, p. 193.

[2] Speeches, p. 114.

Edward Everett for the vice-presidency. Things went more smoothly still with the adoption of the platform. Experience, it said, had shown that platforms served only to mislead and deceive the people, and that it was, therefore, "both the part of patriotism and of duty to recognize no political principle other than the constitution of the country, the union of the states and the enforcement of the laws." Hence, following the constitution, the platform did not so much as contain the word slavery. And, indeed, it contained nothing whatever but the assertion that, by this means, everything would be immediately put again on the right track. The dreadful riddle of the dark sphinx was solved. A speech by Hillard, of Massachusetts, in which he described, in highly poetic language, the shout of joy that would resound through the land at the announcement of this message of peace, was listened to with evident signs of jubilation; and the country was saved in the simplest manner imaginable. On the next day (May 11), Bell made a speech in Philadelphia to a crowd of people who had gathered before his hotel.[1] That speech justified the choice of the convention in the most brilliant manner, for it was no small achievement to roll out the nihility of the platform so very far, without its gathering up a grain of substance. The further agitation and discussion of the questions, said Bell, could do no good, but produce only mischief. Such was the one idea of the speech, and it was an idea as old as the conflict between slavery and freedom under the constitution. The people, therefore, must have taken a deep draught of Lethe's water now to believe the "new" party that this rotten bag, into which the daylight shone through a hundred holes, was the wonder-working cloak of invisibility which might be thrown over the slavery question and make it disappear forever.

[1] The New York *Tribune*, May 14, 1860.

But difficult as it is to understand how thoughtful men, intimately acquainted with the history of the slavery question, could persuade themselves that all that was needed to bring back the country to fraternal union was the entonement of a loud Gloria Hallelujah, Crittenden's calculation was by no means destitute of foundation in fact; and what Thaddeus Stevens said of the Baltimore convention, that it was "a family party, and all there,"[1] although not pertinent, was witty.

The invitation to take part in the election of delegates to the Chicago convention was sent not only to republican voters, but also to the "people's party" of Pennsylvania, to the "opposition party" of New Jersey, and generally to all who wished to see an end put to the corrupt rule of the present federal authorities and to their disastrous policy.[2] The result alone could show whether it was well to have secured confederates in this way. It was quite conceivable, however, that hope was entertained of winning some. For, leaving the slavery question entirely out of consideration, the dissatisfaction with the existing system and its representatives was great and widespread. What now leaked out about the prevailing corruption in official circles was too much for even American equanimity, although during a generation in the school of the spoils system and in its effects with respect to this question, it had been developed into a moral laxity, which a part of the politicians seemed to consider evidence of complete moral obtuseness. They were now rather rudely awakened from the sweet delusion. The republicans were not the only ones to manifest their joy when, on the 5th of March, John Covode, of Pennsylvania, moved, in the house of representatives, the appointment of a committee to inquire: Whether the pres-

[1] Wilson, II, p 690.

[2] Congr. Globe, 1st Sess., 36th Congr., p. 1040.

ident or any other official had sought, by money, patronage or other improper means, to influence legislation or the execution of the laws; to investigate the prevalent abuses in the postoffices, public buildings, etc., and the employment of money to influence elections.[1]

Some democrats immediately declared the motion improper because it had made no definite charges, but only general insinuations. The rules, however, were suspended by a vote of one hundred and seventeen against forty-five, and the resolutions adopted. Buchanan answered it on the 28th of March in a long message of protest.[2] His argument amounted to this: That the house of representatives indicted him, and that the president could be indicted only in the way of impeachment. Sherman, on the other hand, inferred from the right to impeach the right to investigate the conduct of every federal official, in order to determine whether there was occasion for impeachment.[3] The committee on the judiciary subsequently agreed in the main with this opinion, and the resolution moved by him to reject the president's protest as ungrounded was adopted by a vote of eighty-eight to forty. Buchanan replied on the 22d of June with a second message of protest, in which he declared that the views represented by the house would forbid a man of honor and principle to accept the presidency; conjured up the shades of the Star Chamber and of the Lion's Mouth in Venice, and claimed that the civilized world had not seen the like for centuries with the sole exception of the revolutionary tribunal in the days of Robespierre. These exaggerations made little impression on the house. Two hours after the reading of the message

[1] See the wording of the resolutions, Congr. Globe, 1st Sess., 36th Congr., p. 997.

[2] Ib., pp. 1434, 1435.

[3] Ib., p. 1436.

(June 25) the session was closed, but not until a new committee had been appointed to report on the president's second protest at the next session.

The constitutional question at issue remained undecided. That the protest which Jackson had sent to the senate on the 15th of April, 1834, was not, as was asserted by Buchanan's democratic defenders, a precedent, was irrefutably demonstrated by C. L. Beale, of New York.[1] But that was no answer to the question, Whether the house had not, by the adoption of the Covode resolutions, exceeded its constitutional powers; nor to this other, Whether the president had not, by such a formal protest against a resolution of the house, become guilty of exceeding his. Both questions were of equal theoretic interest; in practical importance, however, the first far outweighed the second. Discussion could lead to no practical result, because in the nature of things the constitutional argumentation could not be separated from the political. No abstract reasoning could draw for all imaginable cases a line up to which the house had a right to go; the question must be decided in each case in accordance with the facts, and there must always be considerations of a more or less political character connected with the purely legal question of power. That, as a consequence of this, the right line may be overstepped a great distance, in many instances, is unquestionable. Hence, an appeal from the decision of the house is possible. But that appeal lies not to the courts, but to public opinion, which, when its other manifestations remain unheeded, is able to render a coercive verdict at the polls. It may indeed easily happen that public opinion, just as little as, and even less than, the house, would not attach proper weight to purely legal considerations, and would think only of what it for a moment desired, instead of inquiring what it

[1] Ib., App., p. 425.

should desire as to what should be the fixed and settled practice. But this is a danger which springs from the very nature of democracy, and cannot be removed.

In the case before us, public opinion was very cool in its attitude towards the constitutional question. It was certain, from the very first moment, that public opinion would not ratify the president's protest, if the investigations of the Covode committee proved the truth of only half or a quarter of what was rumored about the prevailing corruption. Buchanan, indeed, not only denied that such proof had been produced, but even claimed that the baseness of his enemies had served merely to help him to a brilliant triumph, because the report made on the 16th of June by the majority of the committee recommended no resolution accusing or blaming him or any member of his cabinet.[1] On this, it is to be remarked, in the first place, that another committee of the house had, as early as the 11th of June, recommended a series of resolutions formally and severely reproving him and the secretary of the navy for abuses in the awarding of government contracts.[2] Even if public opinion, therefore, had made its judgment on the justification of Covode's motion, dependent on whether the abuses discovered led to a formal vote of censure, in the form of a resolution, it would scarcely have decided in favor of the president. Public opinion could not and would not judge like a court of justice, which is absolutely bound by the rules and forms laid down in the law: it had to keep entirely to the question of fact. And where people did not wish to shut their eyes to the truth, the material collected by the Covode committee was considered more than sufficient to warrant a verdict of guilty, although the president and his co-defendants had not been able to call any wit-

[1] Mr. Buchanan's Administration, p. 248.

[2] Congr. Globe, 1st Sess., 36th Congr., p. 2835.

nesses in their favor and no arguments were made by either side. Many witnesses may have laid on the colors too thick, and viewed things to a greater or less extent from a wrong standpoint; yet the picture drawn could not, on the whole, be entirely at variance with the reality; and it was not necessary to concede any more, in order to give the sentence passed the appearance of justification. But even Buchanan's partisans were obliged to concede much more than this. Bocock, of Virginia, was forced to admit that the allegations on which the committee on expenditures of the navy department based the resolutions referred to, were indisputable facts; he conducted his defense of the administration entirely on this line: that that had always been the practice; that the president and the cabinet members should not be held responsible; that there had been no wrong intent; that a censure was not really justified nor constitutionally warranted, etc.[1] Buchanan himself could not deny that wrong had been committed in the letting of contracts. But he gave himself full absolution for it, with the declaration that he had left the awarding of contracts for supplies entirely to the heads of departments.[2] But why not apply here the words with which he afterwards met the charge, that the influence of the secretary of war, Floyd, had prevented, in 1860, the manning of the forts of the southern states, which had been demanded by General Scott: "All my cabinet must bear me witness that I was the president myself, responsible for all the acts of the administration."[3] That Buchanan sinned to the advantage of his own pocket, no one has ever supposed. But that he knew nothing of the monstrous contracts for supplies made in the interests of his party was, in the light of demon-

[1] Ib., p. 2938.
[2] Letter of the 18th of June, 1860, to J. G. Bennett, Curtis, II. p. 261.
[3] Ib., p. 307.

strated facts, so improbable, that it is no wonder his assurance to the contrary met with serious doubts. He was, under any and all circumstances, according to the universally admitted constitutional principle, to which he afterwards himself appealed, politically responsible for them. The republicans, therefore, had not helped him to a brilliant triumph. Public opinion, however, the highest political tribunal in a democratic republic, considered it proved that the administrative machinery of the government, up to the heads of the executive departments, was rotten to such a degree as to be both a shame and a danger to the country.

The causal connection of this corruption of the official political world with the rule of the slavocracy was not overlooked; and, hence, it too contributed to create a feeling against that rule. The blame for it was laid, in the first place, on the shoulders of the democratic politicians, and therefore, so far as this question was concerned, a "change" was considered, as in the presidential campaign of 1840, entirely sufficient to effect a reform. Hence the republicans had little to hope from the people, whose dissatisfaction with the powers that were, was based mainly on corruption and extravagance of every description. They naturally went over to the other opposition party, whose victory did not menace the country with a new catastrophe.[1] The republicans could hope for some great advantage from the feeling of discontent provoked by these causes only to this extent: that, presumably, they would cost those in

[1] The New York *Tribune* of the 6th of November went so far as to trace the "existence" of the Bell-Everett party, in the southern states, to the bitterness generated by the "notorious corruption and extravagance in the administration of our national affairs." It considered this bitterness so great that it ventured the prophecy: "Whatever uneasiness may be felt at the incoming of the republicans will, on the whole, be more than counterbalanced among the most intelligent class by the going out of the democrats."

power, or the democratic candidates, a great number of votes. On the other hand, there was a temptation for the republicans in their endeavor to win over all the uncertain elements that wavered between the two parties, to moderate their tone on the cardinal question as much as possible out of consideration for the sensitive ears of their coveted converts. There was, therefore, a certain unmistakable consciousness of weakness manifest in the extension of the invitation to all opposition elements to participate in the election of delegates to the national convention.

To the extent that it did not betray faintheartedness, but evidenced only a correct appreciation of the situation, it was by no means a bad augury, for it afforded ground to hope for discreet and well-considered action. But it was a doubtful sign, because it had not its sole foundation in the figures which the elections of every description that had taken place since the origin of the party afforded for the calculation of probabilities. It was caused, in part, by a feeling of internal insecurity, generated by the want of harmony among those who had already been initiated under the party name.

How much was still to be desired in this respect appeared with frightful clearness from the names on the list of candidates for the nomination. That their number was so great, and that the discussion of them had already been carried on for months, both *coram populo* in the press and behind the curtains, among professional politicians great and small, with such warmth, was of itself a cause of no little alarm. Local preferences and the personal interests of politicians often lead to the putting up of numerous candidates, and each group works for its men with such ardor that, frequently, the boundary between the allowable and the unallowable is lost sight of. But the moment a decision has been made, the rivalries which have their roots

only in such preferences and interests usually disappear: the partisans of the vanquished follow the standard of the victor as willingly as if it had been their own from the first. The over-rich harvest of candidates in the republican camp now had its origin, in great part, in the local preferences and personal interests of the politicians, and personal animosity played such a part in the struggle, that, by a great many, although very erroneously, it has been looked upon as the decisive factor. But the candidates by no means stood on entirely the same political ground; and the attitude they assumed, or were supposed to assume, towards the slavery question, was the very reason why they were so strongly recommended by their party followers. It must certainly be considered a question, whether it was not at least as long a way from Seward to Bates as from Douglas to Bell, and it was as difficult to infer with certainty McLean's political position from his utterances on the legal questions involved in the Dred Scott case, as it was to make a political programme out of Everett's oath on the constitution. How far could the fusion of the various elements out of which the republican party had been formed, into one homogeneous whole, have gone, when some looked upon it as self-evident that Seward must be their leader because he had inscribed the words "irrepressible conflict" on the standard he had given them, when others demanded Bates because he was no republican at all, and still others pleaded for McLean because he would continue in the presidential chair, in which only a statesman should be seated, as a dispassionate and impartial judge, to hold the scales of justice between the north and the south?

Considering the conflicting views as to the plan on which the struggle should be conducted in order to insure the greatest prospect of success, an agreement on an official

party creed would have met with almost insurmountable difficulties if the party had not been formed on what was essentially only a negative programme. If, owing to this fact, the rock on which the democratic party had struck could be easily sailed around, it could also easily happen that the advantage might, to a very great extent, be only an apparent one. So far as the immediate question at issue was concerned, it was entirely indifferent whether the victory was lost because differences about the platform led to a formal breach, or because many to whom the platform agreed upon seemed acceptable would not vote with the party for the reason that, in their opinion, the policy whose representatives had been chosen candidates should never be allowed to govern within it. Situated as the party was, the name of its candidate had to serve as a commentary on its platform; and, as a commentary, it would be, doubtless, of very great importance, and might readily become decisive of the issue.

It was, therefore, of no little importance that, in Chicago, the real professional politicians were the dominant element to a far less extent than was even then customary in national conventions. The party was still so young and its share in the spoils so small that these men had not had either the time or interest to get thus early the reins into their hands everywhere. The members of congress, unlike their democratic colleagues, had remained away from the convention on principle. Among the four hundred and sixty-five delegates there were only a dozen whose names were already known more or less to the whole country, and even these did not belong entirely to the class of politicians above described. A part of them, who must be reckoned as belonging to it, had, indeed, come attended by a numerous staff, and did all in their power to manœuvre their men into the nomination. But the great majority of

the delegates belonged to that class of local leaders who pursued neither directly nor indirectly any personal end, and were, therefore, more reliable judges of the real feeling of the people than the professional politicians who, for one reason or another, were not unprejudiced; they belonged to that class of local leaders who could not be induced to allow the great cause to be imperiled in the least for the sake of any one whatever.

The majority of the candidates could not have the least hope of the nomination. Only after all efforts had failed to unite the requisite majority of votes on one of the real rivals might it happen that one of them might be taken up, simply because somebody had to be nominated. Fremont,[1] Fessenden,[2] Dayton and McLean belong to this class.

Cameron had to be taken more seriously, for the doubtful state of Pennsylvania was an essential factor in the entire calculation, and it was certain that many votes would be gained in the state, if it was paid the compliment of the choice of its most prominent republican politician for the standard-bearer of the party. But Cameron had already become so well known as a typical professional politician that he might even have been called notorious; and the moral earnestness and ideal elevation which had characterized the campaign of 1856 still so permeated the party that the delegates, even if they had been disposed thereto by the consideration mentioned, would scarcely have ventured to ask it to allow such a man to be the chief representative of the proud "party of principles."

Chase, himself, who had for a long time been universally

[1] He had requested, in order to avoid a split, that his name should not be considered, and he, therefore, received only one vote on the first ballot.

[2] No vote was cast for him, although in a very narrow circle he had been thought of much more seriously than Fremont.

considered the strongest if not the only rival with whom Seward would have to reckon, now believed that scarcely a hope remained for him.[1] He well knew that even the delegation of his own state of Ohio would not be solid for him. Whether his followers would not be great enough to keep the scales wavering was, however, a very different question. It would be so, probably, so long as Cameron's candidacy was maintained by the Pennsylvania delegation, and it was feared that the latter would be obstinate, although Cameron himself had, a year before, assured Seward that he would not find him in his way, and that he might confidently count on the Pennsylvania delegation.[2]

Bates's candidacy had a significance of its own. His prospects of carrying off the prize were as small as, and even smaller than, those of Chase. The Blairs boasted the paternity of this surprising candidacy. But it became of real importance mainly because Greeley had stood sponsor for it. Greeley's influence was, indeed, by no means sufficient to procure the nomination for any one; still it was great enough to make his opposition dangerous to any candidate. But if Greeley was for Bates he was not for Seward, and to Seward his opposition was of incomparably greater importance than to any other candidate. Among the republican papers of New York, the *Tribune* unquestionably occupied the first place, and the American people have always, in the choice of their presidential candidates, laid great weight on this, that such candidates should not

[1] In a letter of the 19th of March to Pike he had said: "That I shall have some friends outside of Ohio who prefer me to all others, I know; that many more prefer me as a second choice is plain enough. What the result will be nobody can tell." On the 2d of April he wrote to the same friend: "The indications are that the choice of Ohio will not be confirmed by the republican preferences of other states." Pike, pp. 503, 505.

[2] Seward to Weed, April 29, 1859. Barnes, Weed, II, p. 256.

be unacceptable to a fraction of the party in their own state, and, because unacceptable, have to expect only lukewarm support, or even covert opposition. But Greeley against Seward had an importance of an entirely different kind, because the two men had, for decades, stood to one another in the closest relation of political friendship. That friendship had never yet been seriously disturbed, and hence it was looked upon as a matter of course that their personal relations were still the best. But these had been severed as far back as 1854. Nothing, however, had been heard of it, because their falling out was not caused by political differences, and Seward had either not considered it wise, or was too magnanimous, to hold up the high-spirited idealist, Greeley, in an entirely new role before the astonished people.

In a long and rancorous letter of the 11th of November, 1854,[1] Greeley formally announced to Seward his withdrawal from the "political firm of Seward, Weed and Greeley," because his business associates had never so much as tried to reward his labor and services, but had rather always opposed him, when others had intended to recognize the debt of gratitude the whig party owed him, by procuring a political office for him. It was not base selfishness, as might appear from more than one sentence in it, but wounded vanity that had dictated the undignified letter. Indeed, boundless vanity was so prominent a trait of this original character, that, until his dying day, it led him, not only into all sorts of ridiculous things, but even into grievous follies. And, on this occasion, Greeley, who owed it more than half to his naïve, innate nobility of soul, that he had become a powerful factor in the political life of the people, surrendered himself so blindly to the whisperings of this weakness as to leave a lasting spot upon his name.

[1] Barnes, Weed, II, 277-281.

Outwardly the good relations between him and Seward continued; but Greeley only bided his time, not, perhaps, to avenge himself, but still to make Seward feel what it meant whether he was a man's friend or foe. But those who have sought to trace his opposition to Seward's nomination solely to this personal grudge have undoubtedly done Greeley a great wrong. He was utterly unable to be so petty in thought and feeling as to be capable of knowingly injuring or imperiling, in the slightest degree, the cause he was serving with enthusiastic and the purest devotion in order to satisfy his wounded self-love. If, said he, I have ever opposed Seward's nomination, the reason was rather that, in principle and feeling, he came up to my own requirements too nearly to be now a safe candidate for the presidency.[1] This was no treacherous kiss, but the entire truth; yet, if he had not had to settle that personal account with Seward, it would, considering his great subjectiveness, have been much more difficult for him to pass such a judgment on the situation, and he would scarcely have employed all his extraordinary energy to force on the party decisions so little in harmony with his own views on what was desirable. It may even be considered highly probable that his unconscious impulse to stifle his unadmitted self-reproach was the cause why he grossly exaggerated the element of truth in that objective judgment and made himself believe that the "team" could be kept from tumbling into the ditch on the right side by driving it into the ditch on the left. Because Seward's candidacy was inopportune, for the reason that his ideas on the slavery question were not conservative enough for a great many in the party, Bates' candidacy was the most opportune, since he had been a slaveholder himself, still lived in a slave state, had never played a political part, was not a whig and not a republican, but

1 See the *Independent* of April 26, 1860.

by the emancipation of his own slaves had demonstrated, in the best possible way, the sterling character of his anti-slavery views.[1]

The man who was so inclined, in questions of principle, to butt his head against the wall, did not see that the Chicago convention would declare the moral bankruptcy of the party, if it adopted this way of reasoning. Fitz-Henry Warren was certainly right when, referring to the aged McLean, he wrote that they should not go to the cemeteries or catacombs in their search for candidates, but must select a man who was still able to walk from the parlor to the dining-room.[2] To wish to place at the head of the state, at so critical a time, a man with one foot in the grave, was

[1] Seward's partisans subsequently acted as if Greeley had first begun to turn on the former, entirely unexpected, in Chicago, and had thus surprised them, in the most perfidious manner. This is an ungrounded charge. As early as December 4, 1858, Greeley had declared in a letter: "As to president, my present judgment is Edward Bates." Then he added: "But I am willing to go anything that looks strong. I don't wish to load the team heavier than it will pull through." Herndon's Lincoln, II, p. 413. And now the New York *Tribune* had, for months, defended the view that, as it is expressed in an article of February 20, 1860, "the man for the hour is Edward Bates, in case the convention cannot safely nominate Seward or Chase;" and it left no doubt that, in its opinion, neither could be safely nominated, because it was too questionable whether "these two foremost republicans" could win in Pennsylvania, New Jersey and Illinois. The other republican papers which had advocated Bates' candidacy, since the summer of 1859, had not, in the main, gone any farther than this. In one form or another, they all said, like the Northampton (Mass.) *Gazette and Courier*, "Mr. Bates is not our first choice," but "we can imagine the nomination of a much worse candidate." (Printed in the New York *Tribune* of September 1, 1859.) And yet the idea had found so much favor that I. Washburn, in a letter of June 31, 1860, spoke of "a deep, widely extended and formidable movement to nominate Bates," and ascribed to it the fact that Sherman had not been chosen speaker weeks before. Pike, p. 483.

[2] February 2, 1860; Ib., p. 484.

at most only very hazardous, and therefore unwise; but to select a candidate outside of the party meant the refusal to recognize the constitutional and moral right of the party to exist. A party which had, so to speak, come into being as the political incorporation of a principle of right of vital importance and of a high moral idea, would belie itself or lyingly deceive the people, and be guilty of a suicidal act, if it hid itself behind such a candidate because it believed it could achieve victory only by the artifice of covering its programme with a borrowed sign-board, the hieroglyphic inscription on which every one might interpret according to his liking. If the party had not faith enough in itself to believe that it could dare stand the struggle as a party, with flying colors, it did not deserve to win; and if it did win because it had made all sorts of people believe that the real field-badge was the plume of nameless color in the hat of its hired leader,[1] the country would not only not

[1] The Northampton *Gazette and Courier* had said, in the article cited: "His (Bates') views in regard to slavery agitation are rather too conservative to meet the more ultra politicians of the republican party." Still, this was no proper characterization of his position. He was so "conservative" that his letter of August 20, 1859 (the New York *Tribune*, September 3, 1859), which was intended to inform the people about it, amounted really to a warm recommendation of a new "era of good feeling." When, in view of his candidacy, he was called upon for a formal confession of faith, he expressed himself clearly and definitely in a new communication of March 17, 1860 (New York *Tribune*, March 24, 1860), against the extension of slave territory. But he had not only voted for Fillmore in 1856, but the Northampton *Journal*, already mentioned, said expressly — he "still claims to be a whig." Hence the reminder of the New York *Abendzeitung* that although both Harrison and Taylor had been no friends of slavocratic endeavors, nothing had been gained by their election, was therefore not out of place. The German republicans generally were decidedly opposed to Bates' candidacy, because they understood that, as Carl Schurz said in the Lincoln-Douglas campaign, in a speech on September 28, 1858, they could never advance a step unless they clearly saw that "the spirit of

have gained anything, but the victory would have been a greater misfortune than a second defeat like that of 1856.[1]

Greeley had, indeed, made a grievous mistake, not by his angry opposition to Seward, but by his agitation in favor of Bates. He endeavored, as he had already done in the last senatorial election in Illinois,[2] to induce the party to take a step which would have been an irrevocable act of

the age and the process of natural development" meant "action and again action." (Speeches, p. 18.) But, as Fitz-Henry Warren forcibly expressed himself, the very reason why it was desired to fetch an orthodox, common-sense whig out of the bowels of niggerdom was because such a choice would afford full security that no "action" of any kind was to be feared. Still it was at least very doubtful whether the probability of success would have been really increased by this means. Washburn had written in the letter quoted: "Put us on the defensive, set us to explaining and apologizing, give us a candidate of whom we only know that he is an old-line whig and never a republican, and the canvass will be the heaviest we ever had." (Pike, p. 483.) But the Northampton paper had to admit that Bates "might lose on the popular vote in some of the northern states." The number of those was small who still thought with Warren: "If the choice is to be between King Stork and King Log, count me in for the former. I had rather have a president who would take me by the nape of the neck and kick me down stairs, than to have one who would smile me out with the hypocritical leer of that greatest of all nuisances in the white house, Millard Fillmore." (Pike, p. 484.) Greeley, indeed, still claimed after the convention, that in his opinion Bates would have been a "stronger candidate than Lincoln" (Barnes, Weed, II, p. 273).

[1] "The question to be solved at Chicago, as we understood it, was not only how we could beat the democracy, but whether a defeat of the democracy would be a victory of republicanism. We do not forget that there are triumphs which are no victories, and that such triumphs, dangerous and treacherous as they always will be, may become even worse than defeats; for, being the triumphs of politicians instead of the cause, they will loosen the moral bonds which hold a party together, and substitute in their place the more cohesive power of public plunder." Speeches of C. Schurz, p. 106.

[2] He had then said: "The republican standard is too high; we want something practical." Herndon to Lincoln, March 24, 1858. Herndon's Lincoln, II, p. 395.

self-surrender. It was fortunate that even where the greatest confidence was placed in his political instinct, so long as he rode the hobby of principle, people, for the most part, assumed a skeptical attitude towards his counsels the moment he ventured on the ground of opportunist, practical politics, for which he was utterly unfitted by nature.

The reasons that could be urged against Seward's candidacy were, in part, of an entirely opposite nature. He may not have been too radical, but he was considered so. A speech which he had delivered during the last winter, in the senate, had caused a great deal of dissatisfaction among the most decided republicans for the very reason that its tone seemed too indefinite.[1] Even if the tendency towards a cautious veering about had been much more apparent in it, this one speech could not, of course, have obliterated from the minds of the more moderate and conservative the impression which his whole attitude hitherto towards the slavery question had made on them. The words

[1] February 29, 1860, Congr. Globe, 1st Sess., 36th Congr., pp. 910–914. The speech did not withdraw the words "irrepressible conflict," but it conveyed the poison in homeopathic doses richly coated with sugar. The opposition between freedom and slavery was, in it, diluted into a difference between capital and labor, and, "for convenience sake," "labor states" was substituted for "free states," and "capital states" for "slave states," throughout its entire length. At the same time great stress was laid on this: "what our system of labor works out, wherever it works out anything, is the equality of all white men." "Is it then in any, and in which, of the states I have named (*i. e.*, all the free states), that negro equality offends the white man's pride?" But all this was harmless in comparison with the question at the end of the following sentence: "We cannot, indeed, accept your system of capital or its ethics. That would be to surrender and subvert our own, which we esteem to be better. Besides, if we could, *what need for any division into states at all?*" That was simply — for otherwise the words would have no meaning whatever — Douglas' "variety" doctrine, the absurdity and political atrociousness of which Seward's enthusiastic partisan, Schurz, exposed with merciless logic. Speeches, pp. 200–208.

"irrepressible conflict" stuck to him as closely as did his shadow. In the great border land between the Bell-Everett party and the republicans, there were not a few who saw in this a species of mark of Cain, and who yet had sufficient sympathy with the tendencies of the republican party to go with it under a different leader.

But the objection of too radical views on the slavery question was by no means the only one that made Seward's candidacy seem inopportune. A part of the former know-nothings who had joined the republicans still stood so near that border land that it would not have required much to drive them into the arms of the Unionists. The events of recent years had dampened their spirit to such an extent that there was no longer any fear they would make a new demand to give some positive consideration to their nativist wishes. It was, however, not advisable to irritate them unnecessarily, and Seward had opposed their aims with such firmness that if they did not look upon his nomination precisely as a challenge, they would view it at least as an insulting want of regard for them.[1]

But there was a third objection, greater than either of these, one on which Seward's warmest partisans have always liked to be silent, and for the very reason that made

[1] Barr, of New York, said on the 16th of June, in the house of representatives: "He had too often and too honestly spoken out his sentiments in favor of the constitutional rights of Catholic and foreign-born citizens, both in state and federal relations, to give a hope to the Chicago managers of securing the aid of the know-nothing Americans." Since the republicans, so far as I know, have not believed that the anti-nativist paragraph in their platform did them any great harm, the assertion thus bravely made does not seem to me to be warranted, and Barr certainly went too far when he said: "Perhaps, in this honorable trait of his political character may be found one, if not the chief (!), cause of his indecent shelving at Chicago by the representatives of a party which owes to him all its claims to national strength at the present day." Congr. Globe, 1st Sess., 36th Congr., App., p. 444.

it greater. It had its foundation not in any regard for the uncertain elements it was desired to win, but was entertained independently of all considerations of that kind, by many who on the slavery question and in all other respects, were just as staunch republicans as Seward himself. They took umbrage at the "New York politician." The more thoroughly people knew that under the influence of the slavocracy there had been wide-spread demoralization in political life, the better they understood that only imperfect and uncertain success could be achieved if they confined the struggle over the slavery question to the solution of a constitutional and political problem in the narrower meaning of the words, and did not strive to effect a general moral revolution in political conditions. But a man, who although not himself a "politician" in the worst sense, had been nevertheless during all his political life in the closest relation with the New York politicians, who for decades of years had had the reputation, throughout the whole country, of being the worst among the bad, could surely not be a proper person to trust with the leadership in this further work of reformation. And even if the spotlessness of his own hands was not doubted, he had never manifested any particular disgust at their dirty fingers, but had willingly allowed their unsavory methods to help build up his political fortune. From the cavalier and unhesitating way alone, in which he was wont to cast an assenting vote whenever demands were made on the purse of the state, people inferred a conscience that was too broad, *for others*, in this respect, to allow a party under his leadership to be considered a reform party, still less to really become such a party. Not only men like Pike, who desired the setting up of another candidate,[1] or

[1] "But there was another class of objections that weighed even more heavily among those more familiar with public affairs which are not

Welles,[1] who had been made to feel the weak side of his character to the fullest extent, but also radical papers like the *Independent*,[2] which had strongly advocated Seward's

widely known, and which have never been publicly commented on, from prudential considerations. These objections refer to Mr. Seward's principles and practices in regard to the public administration of affairs. He is a New Yorker and belongs to the New York school. If he does not by natural instinct, he does by position and association. He is a believer in the adage that it is money makes the mare go. At least he acts on the belief, and always has done so since he has been in congress. There have been many complaints of Mr. Seward for his uniform votes for lavish expenditure, general and particular, but never any for being too prudent or fastidious. Mr. Seward has acquired great strength among a powerful and influential class by his uniform liberal voting upon all money questions. And this is a source of influence of a commanding character at all political conventions, while it is a source of unquestionable weakness in a popular canvass. It has been felt, therefore, that, in the approaching election, the republicans, with Mr. Seward for their candidate, would lose an immense advantage which the venality and extravagance and corruptions of this administration have put into their hands. It was also felt that republican success, with a prospect, or at least the fear, of a continuance of a similar style of administration, would be too dearly purchased. The future and its malign results were deeply apprehended by those who felt profoundly the absolute and inexorable necessity of inaugurating a republican administration which should be not only pure but unsuspected at this already-signalized era of political prodigality and corruption. The opposition to Mr. Seward's nomination has thus, to a very considerable extent, been in the interest of purity and integrity of administration, as well as to secure an immediate triumph. Not that anybody would pretend that Mr. Seward was in the remotest degree to be supposed a man of venal or corrupt instincts or purposes, but only that his circumstances would be his master." Pike, pp. 518, 519.

[1] Lincoln and Seward, p. 27.

[2] "A reasonable distrust of New York politics is widely diffused among the better classes of the people everywhere, and the republican party depends for its chief strength upon those better classes. That distrust has been irritated by the recent proceedings at Albany, and the sins of our state legislature are visited upon Mr. Seward. We must not blame the people of the United States for being afraid that the election of a leading New York politician to the presidency would only displace

nomination, expressly testify that these considerations exercised a very powerful influence.

As the first two objections had long been openly discussed by the press, and as, so far as the third was concerned, notwithstanding the very intelligible reserve the party organs imposed on themselves with regard to it, there was no lack of all sorts of broad insinuations, the idea could not but suggest itself that Seward's prospects of receiving the nomination would be very generally considered exceedingly uncertain. But his partisans would neither hear nor see. When, in March, the elections in Connecticut showed a republican victory, notwithstanding the enormous efforts made by the democrats,[1] their huzzas and shouts of jubilation resounded throughout the entire land. And yet not only were the results of the elections in general, in the fall of 1859 and the spring of 1860, such that they must have emphatically warned the republicans to pay all possible regard to the uncertain elements, but, in Connecticut itself, the day was won only by decreased majorities, and the anti-Seward current received unquestionably a new and powerful impulse in consequence. But as next to New York the New England states were Seward's strongest stay, there, more than anywhere else, nothing

the existing corruption at Washington by a new importation of venality and political knavery from Albany." The *Independent*, May 24, 1860.

[1] The New York *Express*, "a bitter enemy of the republicans and of all opponents of slavery," writes: "The democratic 'machine,' on the other hand, it cannot be denied, also strained itself to the utmost to shove the republican engine off the track. Men and money, but especially money, money, money (the sinews of war), were abundant. The administration at Washington is said to have 'shipped for the voyage,' and all hands that could be spared from the postoffices and custom-houses — here, there and everywhere — were piped on deck. The state was literally invaded with this class of patriots, and during the past two or three weeks there was hardly a nook or corner that did not ring with their declamation." The *Independent*, April 5, 1860.

should have been estimated lightly that served to weaken his position. His friends, however, continued to act as if his nomination was a matter already settled, and, even after they had been undeceived, they claimed with so much emphasis that it had been such, that they almost succeeded in permanently falsifying history. This claim has been made so frequently and with so much positiveness that men of unimpeachable honor, like Charles Francis Adams, whom no one can consider capable of so lowering himself as to utter a conscious untruth, came in the course of years to look upon it as a fact, although it may be shown by their own words that at the time they not only knew the real state of the case but had given warning of the dangers that would be incurred by Seward's nomination.[1]

The crowd who are always inclined to believe what they wish for, and are usually very meagerly informed of the

[1] Adams claimed in the official memorial oration which he delivered in April, 1873, on the invitation of the legislature of New York, in Albany, on Seward, that his defeat was a complete surprise and was compassed by "bargain and management, manipulated by adepts at intrigue." Yet Adams himself had, on the 3d of May, 1860, written to Edward L. Pierce, one of the Massachusetts delegates who had asked his advice:

"If the delegates of the feeble republican states say that they cannot carry their electoral tickets for him, I should be unwilling to take the responsibility of a defeat by a stubborn perseverance in nominating him. . . . I should not at present choose to subject myself to the charge that I had brought on defeat with my eyes open.

"It will not do to risk a distracted election on Mr. Seward either. If the house is to choose, we shall have a repetition of the speaker's contest with a similar result; or else a worse one by default, and the choice of an opponent as vice-president by the senate. I should deprecate above all things the scene of violence to which the declaration of the votes would almost inevitably lead. If it can be avoided by taking any trustworthy and firm man, I should willingly do so. . . . It is to be regretted that we have not some popular young military man to stand in the gap just now." The *State*, November 28, 1885.

feeling beyond their own immediate environment, really thought that this time, so far as a presidential nomination was concerned, the convention had virtually nothing to do but to go through a form. Seward himself felt surer of his case than did his most sanguine partisans. He did not hesitate to add to the statement that he was going to leave for Auburn, the declaration that Washington would not see him again as a senator.[1]

Yet it was not only certain that his nomination was in the highest degree doubtful, but there was no question as to who his most dangerous competitor would be; and in respect to this, too, a falsification of history has been attempted.

Raymond asserted, in an article in which he strongly censured Greeley's activity in the convention, that Lincoln's nomination was "purely an accident."[2] And as late as 1877, R. G. White ventured to write: "This failure to meet the expectations of the world, foes as well as friends, was due entirely to one of those manifestations of personal pique which have so often had an influence upon the fate of nations.[3] Mr. Seward saw the crown of his life petulantly snatched from him and given to one who had done nothing to merit it, and who was so unknown to the majority of his countrymen that his identity had to be explained to them."[4]

If this were true, the majority of the people must have been backwoodsmen who not only had never seen a news-

[1] Pike, p. 516. Weed's biographer also writes: "Mr. Seward looked forward to his nomination almost as one does upon an accomplished fact, and so did Mr. Weed." Barnes, Weed, II, p. 262.

[2] Ib., II, p. 273.

[3] And he would have it that "the whole civilized world" was not only "surprised," but "dissatisfied."

[4] In an article on Seward in the *North American Review*, March, 1877, pp. 225, 226.

paper, but who did not take the slightest interest in national politics. Since the Douglas campaign, every American who knew anything at all about the cause of the struggle over the slavery question knew also who and what Abraham Lincoln was, and the idea of making him the republican presidential candidate was already over a year old.

The first positive step taken to realize this idea seems to have been a letter of the 13th of April, 1859, written by Pickett, of Rock Island, in which he invited Lincoln to a conference, because he contemplated calling upon all the republican papers of Illinois to put him up as a candidate simultaneously. Lincoln requested him, in his answer (April 16), to desist from his intention, because it might injure the republican cause, and he did not believe himself fit for the presidency.[1] But when it was seen how generally Pickett's views were shared by the republican politicians of Illinois, Lincoln's attitude on the question gradually changed. He, indeed, wrote to Judd, on the 9th of December, that he would prefer six years in the senate to the presidency, but a request from a meeting of the party leaders, held in Springfield, to allow his name to be proposed to the national convention, received an affirmative answer. The conjecture frequently given expression to, that the hopes of his friends then extended no farther than that they might secure the vice-presidency for him by proposing him for the presidency, may not be entirely unfounded. But the nearer the time of the convention approached, the higher he loomed up as one of the foremost candidates. When he now (February) gave the east an opportunity to feel for itself the immense power and convincing force of his own peculiar and simple eloquence, it, too, pointed to him with pride as one who might, nay must, be mentioned

[1] See the text of both letters in Nicolay and Hay, The *Century*, September, 1887, p. 663.

in the same breath with the greatest. The New York *Evening Post* said in an article in which it protested against baiting the whigs by the nomination of a whig: "With such men as Seward and Chase, Banks and Lincoln and others in plenty, let us have two republicans, representative men, to vote for." But once he came to be looked upon as a possible candidate, unprejudiced examination must have led to the conviction that Lincoln's candidacy presented extraordinary advantages over all others that were contemplated.

In the first place he was unquestionably the strongest candidate in his own state. But no republican was sanguine enough to contend that Illinois was not an uncertain state, and its eleven electoral votes could not be estimated lightly. He was besides — bold as the assertion may seem at the first glance — at least as strong a candidate, in all the other states which could be considered at all by the republicans, as any of his rivals, although his name might awaken in none of them the enthusiasm with which that of some other candidate would have been greeted. Victory or defeat, however, depends not on the enthusiasm with which votes are cast, but upon their number. Still while it was not to be feared that he would lose votes which might have been counted on for some one else, it might be hoped that he would receive some which could not have been won for the others. In his candidacy, so far as such a thing was at all possible, the advantages of the candidacies of both Seward and Bates were united, while the disadvantages of both were absent. No one could look upon his candidacy as a falling back on the defensive, for he was a genuine republican from the top of his head to the sole of his foot, and had publicly borne witness thereto, in a manner which was re-echoed from one end of the country to the other. His great speech in

Cooper Institute, in New York, which contributed so much to enable the east to correctly estimate the intellectual greatness and moral force of the uncouth western giant, culminated in the exhortation: "Let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it." And on the other hand, he had never carried on the controversy in an irritating or spiteful manner. "In fundamental principles," wrote Dr. Ray, the publisher of the Chicago *Tribune*, to Edward L. Pierce, "he is thoroughly radical, but an intemperate word has never escaped his lips." [1]

His position, so far as principles were concerned, was just as decided as that of Seward, but, unlike the latter, he did not stand in public opinion as the personification of republican radicalism, and his good-natured, humorous way, devoid of all asperity that might wound, of handling political problems, despite his unflinching firmness, together with his entire personality, were calculated, in an exceptional degree, to awaken the confidence that a calm, considerate, and firm course of action might be expected of him at all times.

Even his southern origin might appear as a certain guaranty that he would not abuse his authority to destroy the constitutional rights of the slave states. Nature had written too plainly on his attractive though homely face, that he was neither a demagogue greedy of power, nor a fanatic who would ever feel tempted to stamp on the nest out of which he had come because he took no delight in the thorns and the poisonous weeds he found in it. He, too, was a politician in the specific American sense of the word, and he never tried to conceal the fact that he was one behind a hypocritical mask. But, although he had fearlessly worked not only for his party, but also for his own

[1] The *State*, November 28, 1885.

position in it, in accordance with the methods and with the means of the politicians,[1] he was himself neither a bread-and-butter politician after the Albany pattern, nor had he ever stood in such a relation to that class as a New York politician, who had risen to be a governor and United States senator, could scarcely avoid standing, and as Seward certainly had not avoided.

Although Illinois, in which for a long period a man like Douglas had cut the principal figure, could not, as a matter of course, pass as a model state, there certainly was not so great a difference between its public morality and that of other places, that the man who had there won from those

[1] This he did even now. Herndon, who was certainly best informed on this point, for he was "for twenty years his friend and law partner," writes: "I know the idea prevails that Lincoln sat still in his chair in Springfield, and that one of those unlooked-for tides in human affairs came along and cast the nomination into his lap; but any man who has had experience in such things knows that great political prizes are not obtained in that way. The truth is, Lincoln was as vigilant as he was ambitious, and there is no denying the fact that he understood the situation from the start. In the management of his own interests he was obliged to rely almost entirely on his own resources. He had no money with which to maintain a political bureau, and he lacked any kind of personal organization whatever. Seward had all these things, and behind them all a brilliant record in the United States senate, with which to dazzle his followers. But with all his prestige and experience the latter was no more adroit and no more untiring in pursuit of his ambition than the man who had just delivered the Cooper Institute speech." As proof of these statements, Herndon prints the following interesting letter of Lincoln to a political friend in Kansas: "As to your kind wishes for myself, allow me to say I cannot enter the ring on the money basis — first, because, in the main, it is wrong; and secondly, I have not and cannot get the money. I say, in the main the use of money is wrong; but for certain objects in a political contest, the use of some is both right and indispensable. With me, as with yourself, this long struggle has been one of great pecuniary loss. I now distinctly say this: If you shall be appointed a delegate to Chicago, I will furnish $100 to bear the expenses of the trip." Herndon's Lincoln, III, pp. 457, 458.

who knew him best the honorable name of "honest old Abe," could be objected to by the rest of the country as too lax in his political ethics. As scarcely any one yet understood to what an extent the corruption that permeated all political life was an inevitable consequence of the system adopted in the filling of official positions, Lincoln, although himself a "politician," seemed, in view of the demand for a general moral regeneration, an especially commendable selection.

Against him nothing could be brought, since he could not be objectionable even to the know-nothings. It could only be said that he had no claim to the distinction, and could not yet point to any achievement which might be looked upon as a proof that he was equal to the task. This was true, but it was equally true of every other candidate. That alone which, conscientiously and to the best of its knowledge, seemed to the convention to be demanded by the interests of the country, had to govern its decision, and hence the possibility of even the smallest "claim" based on services personally rendered the party, had to be denied. And the tasks which awaited the nominee, in case of his election, were not only so great, but also of so peculiar a kind, that the political activity thus far of no republican could be a proof that he would prove equal to them. There could be no controversy on this point except as to the degree of probability. But if this was to be correctly estimated, it must be taken into account as an important factor that Lincoln, for the reasons already given, would presumably obtain more votes among the great body of the people than the other candidates. This not only made the victory of the party more probable, but made it clear that he represented in a larger measure than the other candidates the average opinion of all the elements which stood united on the republican platform against the slavocracy. The more

difficult the problems were which confronted him, the greater became the importance of this fact. For, in the United States, the power of even a mediocre president backed by public opinion is very great, while the greatest genius can afford no assurance that a president lacking in that support will be able to steer the ship into port against a merely stiff breeze.

The more correctly one interpreted the signs of the times, the more one had to be for Lincoln, if one shared Sumner's opinion that, after the result of the Charleston convention, the election of any candidate the Chicago convention chose to set up, was certain.[1] For he was not looked upon as, nor was he, the head of a group, but, in his way of thinking and feeling, what was common to all, found expression in such a manner that it was capable of the sturdiest and most continuous development of its power, because a leader could always have only a group behind him, while he neither could nor would lead, but was only the truest representative of the public opinion of the party in its entirety. "A people's man," Dr. Ray called him in the letter quoted above. Such a man he was in the highest sense of the word, and only such a man should now be placed at the helm; for the storm that was destined to break over the country would bring inevitable ruin if the people did not put their entire strength into that man's arm. This they had to do all the more willingly and absolutely, despite many a heavy blow, the more deeply conscious they became that they were themselves responsible for what he did or failed to do, for he was nothing and wished to be nothing but the representative and executor of the general will.

Sumner's opinion, however, was not by any means shared even by all of Seward's partisans. Charles Francis Adams, for instance, thought that the dissolution of the Charleston

[1] May 4, 1860, to E. L. Pierce. The *State*, November 28, 1885.

convention without its having reached any result, was an admonition to the utmost caution. The republican convention must now take place before the democratic, and if it decided in favor of Seward, that fact might readily prove the most effectual means of reuniting the separated democratic brethren.[1] But whoever, like him, looked upon Seward's nomination for any reason as a rash act, must, like him, come to the conclusion that it would be unjustifiable "to sacrifice the probabilities of a victory" merely to indulge his notion of abstract propriety. A moment of calm reflection must lead all such as these to recognize that the question for the convention should not be: who among the republicans is the fittest person for the presidency? but: which of the persons fit for the presidency has the best prospect of being elected? In order to achieve even the smallest part of what it was supposed might be hoped from the victory of the party, the first thing necessary was victory itself. And the condition of things was not now what it was four years ago. "All that time," said Adams in his letter to Pierce, "success might have proved a serious misfortune." But Dr. Ray wrote him on the present situation: "We want to win. It is necessary for the existence of our party that we should win. Our triumph cannot be deferred, and preserve the organization as it is."

This conviction that it must be "now or never" widely prevailed. Even some of Seward's friends among the delegates shared it to such an extent that they came to be of the opinion that they should not let the better become the enemy of the good, that is, that the decisive consideration should be to make sure, as far as possible, of the victory of

[1] "The adjournment of the democrats to Baltimore is intended to raise up the spirit of hostility to a republican as the bond of union. I incline to believe that the nomination of Mr. Seward might make the most effective rallying cry for them."

the republicans in the four free states lying east of the Rocky Mountains, in which Fremont had been defeated in 1856: Pennsylvania, New Jersey, Indiana and Illinois. And they thought further, that not they but the delegations of these states must have the most competent judgment on how this might be done. Hence while they hoped that they would carry Seward's nomination, they were not only prepared to be disappointed, but were willing, if necessary, to make the great sacrifice of giving up their favorite. The four delegations unanimously stated, and with great positiveness, that there could be no hope whatever of victory in their respective states with either Seward or Chase as a candidate. This made it as good as certain, even before the formal meeting of the convention, that Seward would be defeated, unless he received the number of votes necessary for an election on the very first ballot.[1] Seward's defeat did not, indeed, necessarily imply that Lincoln would carry off the prize, but it made such a result probable in the highest degree.[2]

This assertion is not based solely on what has already been said about Lincoln's candidacy. It is demonstrated to be an irrefutable fact by the authentic information concerning what went on behind the curtains, furnished by E. L. Pierce, who has thus forever dispelled the old myth according to which Seward was made the victim of base manœuvres. Although we have Greeley's own testimony for it that he worked against him with all his might,[3] the

[1] Carl Schurz said a few days before the convention in a public speech: "I may say that a few hours after my arrival at Chicago, I saw that Seward's nomination was very improbable." Speeches, p. 110.

[2] Thurlow Weed himself wrote immediately after the convention: "It (Lincoln's) was the only name upon which all the elements of opposition to Governor Seward could have been united." Barnes, Weed, II. p. 272.

[3] See the letter of the 21st of May, 1860, to Pike. First Blows of the Civil War, pp. 519, 520. 1861 is evidently a misprint.

blot does not rest upon the history of the Union, that this, the most fate-pregnant decision which an American convention had ever to make, was brought about by blind chance in combination with base intriguers. Far from it. It was the conscious act of clear-sighted and self-sacrificing patriots to whom honor and gratitude in the fullest measure are due.

The Massachusetts delegation, which was composed almost entirely of friends of Seward of the most decided stamp,[1] has the fame of having discovered the right way to the right decision. Through a committee, it formally invited the four delegations above referred to, to name the candidates who could be elected in their states. Those of Illinois and Indiana answered simply: Lincoln; and that of Pennsylvania joined his name with those of Cameron and McLean. The New Jersey delegation indeed answered only: Dayton; but the condition of affairs in New Jersey was so like that in Pennsylvania, that the Massachusetts gentlemen were of opinion that whoever could be elected in the latter state could be elected in the former also.

The small prospect which Seward had after this was made smaller still by the New Yorkers themselves — by the delegates, and perhaps more yet by their numerous retinue. Their leader was Thurlow Weed. His reputation as an incomparable master in the art of what is called "management," and which is considered by the ordinary American politician as identical with a capacity for statesmanship, was entirely well founded. But what might have been good tactics in Albany and New York was not necessarily such here. The bold countenance of certainty assumed by the New Yorkers gave umbrage, for it was looked upon as assumption and bravado; and their pompously theatrical

[1] S. A. Bowles had written on the 5th of March to Weed: "Our delegation would have been satisfactory to you any way. Now it will be so strong for Seward as to be against anybody else."

behavior made no impression. So far as the effect was concerned it was indifferent to what extent the importunately loud enthusiasm of the players was genuine. As their spectators did not share it, they appeared to them only like so many puppets in buskins who may indeed win applause but can never warm up an audience.

On the other hand, it was very much to Lincoln's advantage that the convention was held in Chicago. Great as was the number of volunteers who had joined the New York delegation, what was it compared with Lincoln's following that flowed in from every part of the state, and which commingled with the thousands in the city itself? And the former were for the most part politicians, while the latter not only made on the delegates the impression that they were, but really were, of the *people*, although the Lincoln politicians were not slow in "organizing" enthusiasm. They placed as high a value on the waving of hats, on stamping and cheering, as the New Yorkers, and the time they spent in mixing in the fray with such weapons was certainly not lost, for the simple reason that they had engaged no claqueurs. The hearts of the dense mass, feverish with suspense and carried away with intense excitement, that surged inside and out of the great building in which the convention was held, beat so powerfully and so warmly for Lincoln that they would have hurrahed and cheered themselves hoarse for him without any artificial stimulation to such action. But it was due to skilful leadership that their shouting and hurrahing smote the ears of the convention like the deafening thunder of ocean breakers in a storm. The frequently repeated assertion that these demonstrations brought about the decision in Lincoln's favor has been sufficiently refuted by what has been said in the preceding pages. But it is none the less certain that it was shown in the Chicago convention, what a powerful influence

accidental local feeling may exercise in the decision of the national question of a presidential nomination. It then, indeed, turned to the salvation of the country, and it has never so turned again to the same extent; but this would certainly not warrant us to estimate lightly and leave out of consideration the danger inherent in it.

The convention met on the 16th of May. Of the slave states, only Maryland, Delaware, Virginia, Kentucky, Missouri and Texas[1] were represented. The right of the convention to style itself a national convention was, therefore, not unimpeachable. It indeed represented the whole party, but the party was, in the primary sense of the word, not a national party. At the time, it not only had no actual existence in a large and geographically undivided part of the Union, but its programme made it impossible that it should ever have an existence in that part so long as the present condition of affairs continued. Neither constitutionally, nor politically, nor morally, would it be right to blame it on this account, much less to deny it the right of existence. In all three respects, the slave states, rather than it, were responsible that such was the case. But this did not change the fact that the party was a sectional one, and must remain such in the present Union; and this fact alone, not the justifiableness or baselessness of the charges founded on it made by its opponents, could be decisive of the consequences which the success of the national programme of this sectional party must have.

G. Ashmun, of Massachusetts, was chosen chairman of the convention without opposition. As a whig, he had played a certain part in the house of representatives, but occupied no very distinguished position in the republican party, which he had joined rather late. He probably owed

[1] It was afterwards discovered that this delegation had smuggled itself in under false pretenses.

the distinction conferred on him to the fact that he was known as an experienced and skilful parliamentarian, and belonged to the Massachusetts delegation. But this gave no occasion for connecting in any way the compliment paid [1] the state by this election with the views entertained by the great majority of the delegation on the candidate question.

On a second and more important preliminary question, on the other hand, a resolution was adopted which the *Independent* (May 24) characterized as "a decided victory of Mr. Seward's friends." The committee on rules recommended that not only a majority of votes cast but a majority of the votes which would be cast, if all the states were fully represented,[2] should be necessary for the nomination. The convention, by a large majority, decided in the opposite way. This could only be approved, no matter from what point of view it was looked at. There was good sense in the two-thirds rule of the democrats, but to consider the slave states as present was an absurdity. The fiction was too silly for any one to advocate it in good faith. That it was sought to mask with so thin a veil the demand to grant the minority a right of veto, merely proved how slight a hope was entertained that it would be acceded to. What consequences the granting of it would have had cannot, of course, be said with certainty, but in all probability they would have been disastrous. Such a veto power would have made Seward's defeat certain, but Lincoln's prospects would have been scarcely any better, and the nomination would in all probability have been a blind drawing from the lottery urn. Considering the condition of affairs

[1] Pierce says: "He was not pressed by the Massachusetts delegation, and his election was a surprise to most of them." The *State*, November 21, 1885.

[2] The resolution was adopted by a majority of only one vote.

in the convention, the adoption of the motion meant the announcement of the candidacies of all the "dark horses," and to do that in such a crisis would have been a crime against the nation.

Before the nomination could be proceeded with, the platform had to be adopted. With the exception of the fifteenth resolution, which advocated "internal improvements," in a somewhat vague manner, and especially of the twelfth, which, despite the evident intention of casting a bait to the protectionists,[1] proclaimed the economic policy of the party more in the form of an oracle than of a programme, the committee had thoroughly understood how to give their work the clearness and certainty which every confession of faith should have, without, however, assuming an exasperatingly aggressive tone. "The federal constitution, the rights of the states, and the Union of the states must and shall be preserved," and to this end the victory of the republican party is necessary. "The causes which called it into

[1] The republican party was not yet committed to the protective system in the manner in which it subsequently became. If votes had not to be caught, especially in Pennsylvania, many a republican would have pondered long whether he should agree to this new campaign pledge. The resolution, was to a great extent, a tactical manœuvre, and certainly a very skilful one. How much might be expected from it is sufficiently clear from the fact that it was very seriously proposed by influential people in the democratic camp to cement the two wings anew, and more firmly than before, by a bargain: concessions in the slavery question in consideration of protective-duty concessions. See Brown's speech of the 6th of March, and Stockton's letter quoted by him, Congr. Globe, 1st Sess., 36th Congr., p. 1002. Bigler said on the 11th of December in the senate: "The operatives in the manufacturing establishments and the mines away down in the earth (in Pennsylvania) had felt and believed that the policy of the democratic party was prejudicial to their interests; and at the late election, though they were naturally with the democratic party, they voted in a body against us. I doubt not that vote was forty thousand in the state." Congr. Globe, 2d Sess., 36th Congr., p. 48.

existence are permanent in their nature, and now, more than ever before, demand its peaceful and constitutional triumph." All further resolutions relating to the slavery question were only mere detailed forms of these two sentences. The party solemnly binds itself in the first sentence not to allow its action in opposition to slavery to go the least step beyond the limits traced out by the constitution. The slave states are expressly assured of the most scrupulous protection of all their constitutional rights, and this protection and these rights further defined to the effect that slavery in the states is subject to their exclusive control, and that the illegal invasion by an armed power of a state or territory, no matter under what pretext, is one of the gravest of crimes. But all claims of the slavocracy that went beyond this were rejected with the same absoluteness, and it was insisted that there was here no preaching of a new doctrine, but simply the maintenance intact of what had hitherto been the law, according to the wording of the constitution and the interpretation of its framers as well as according to federal legislation and the decisions of the courts. The new dogma that the constitution carried slavery into the territories was revolutionary and destructive of the peace of the country. The threat of severing the Union, if the people overthrew the supremacy of these heretical doctrines, trampled under foot the principles of freedom and political order, and was an admission of contemplated high treason. It was therefore the duty of an indignant people to stamp them out forever. As the fathers of the republic had prohibited slavery in the entire territorial domain of the Union, freedom was now, as it had always been, the normal condition in it, and neither congress nor the territorial legislatures, nor any individual, had the right to give slavery a legal existence in a territory. What a deception and a lie the much-lauded democratic principle

of non-intervention and popular sovereignty was, the federal governors of Kansas and Nebraska had shown by opposing their veto to the prohibition of slavery provided for by the legislatures of these territories.

The remaining resolutions denounced the corruption prevailing in the administration, demanded the most energetic measures to suppress the reopened African slave trade, called for the immediate admission of Kansas as a state, the adoption of the homestead law in the form resolved on by the house of representatives,[1] the granting of sufficient

[1] In reference to this, Schurz said in a ratification meeting: "We endeavored to lift the creed of the party far above the level of mere oppositional policy. The platform gives it a positive character. The republicans stand before the country, not only as the anti-slavery party, but emphatically as the party of free labor. While penning up slave labor within the limits which the legislation of states has assigned to it, we propose to plant free labor in the territories by the homestead bill." Speeches, pp. 107, 108. All the advocates of the slave-holding interest in the house of representatives except one had voted against the bill mentioned in the platform. We cannot be surprised at this, for the immense bearing of the homestead policy on the slavery question was very plain. Referring to it, Mason said in the senate: "The bill came from the house of representatives, and I understand the honorable senator (Doolittle) . . . to announce here to-day that this bill is a measure intended for empire, command, control, over the destinies of this continent: and he is right. Sir, it lets a flood of light in upon the subject. The honorable senator has chosen — and it is a part of the policy of this measure of empire — to connect, as indissolubly belonging to it, the whole slave question with the homestead policy. The honorable senator has told us that the great feature of this policy is, by the gratuitous distribution of the public lands, to plant throughout the whole country now open for settlement a free white population to preoccupy it. The senator is right; with the objects in view by the bill that has been sent to us by the other house, the question of slavery is connected with it, and cannot be separated. Sir, the purpose is avowed; and if were not avowed, it would manifest itself . . . incidentally, but of necessity, to exclude slavery." Congr. Globe, 1st Sess., 36th Congr., p. 1634. Public opinion, however, was already so decidedly in favor of the homestead policy, that the slavocrats of the senate did not

support for the construction of a railway to the Pacific Ocean, and declared against any change in the naturalization laws or any abbreviation of the rights accorded at the time to immigrants by state laws.

This platform could of course not satisfy the abolitionists, who took their stand above all positive law, on the ground of absolute principles. The radicals, however, who recognized the unconditionally binding force of the constitution, had of course no ground to complain. The convention had not succumbed to the temptation of leaving the position of the party on the slavery question in an uncertain light, on a single point, in order to gain the votes of those who, indeed, desired the same end but were unwilling to take the means to accomplish it. Enough, however, had not been done to satisfy the venerable Giddings. He wanted the well-known introductory sentences of the Declaration of Independence inserted in the platform. The motion,

consider opposition to it in principle advisable. They were satisfied with mangling it as much as they could, in the interest of the slaveholders. Trumbull said on the senate bill: "How have you got this bill here? Not by the votes of the friends of the real homestead; but by the enemies of any homestead provision, united with a few friends of the measure. They present to us a bill objectionable in many of its features, and then talk to us about the responsibility of defeating a homestead bill, unless we take this." Ib., p. 2043. Complete harmlessness, however, could not be attained by these mutilations of the bill. Of the eight senators who voted against it, seven belonged to the south. A conference committee of the two houses came to no understanding, but finally the house adopted the senate bill. Buchanan, however, vetoed the bill on the 22d of June, because congress had not the right "to give away the public lands either to states or individuals." Ib., p. 3263. The homestead law bears date May 20, 1862. Stat. at L., XII, p. 392. Had it been adopted forty or fifty years earlier, the words which Foster, of Maine, took for the text of his speech of April 24, 1860, might have become true: "Give the public lands to the people, and you settle the slavery question." Congr. Globe, 1st Sess., 36th Congr., App., p. 244.

however, was defeated, and the oldest champion, the one who had received most scars in the good fight which the republican party now, at last, wished to bring to a decision, left the hall embittered and distressed.

It may be granted that it was not necessary to make this demand, since all concrete questions had been given a place in the platform, and no art of interpretation could put two meanings on any of its declarations. But after so much emphasis had rightly been laid on the fact that the party professed no new doctrine, it was certainly only logical to appeal to this most ancient, and, in its universality, most comprehensive, declaration of principles, with which the nation had come into being. The Declaration of Independence lived in the minds of the people as the *In hoc signo vinces* on the standard of the war of Independence, and hence no better inscription could be found for the standard of the war which the people were now beginning to wage against the dark power which they had permitted to become their master, in order to recover their political and moral independence. And it was certainly a great mistake to defeat the motion, once it had been made. For no other interpretation could be put upon its defeat but that the convention recoiled from allowing the nature of the struggle to appear in all its clearness. It was a refusal to declare expressly that the nation was not only constitutionally warranted in opposing the slavocratic demands in the manner in which the party now opposed them in its platform, but that it was its duty, in accordance with that "higher law" which stood above all human enactments, not to allow the slave-holding interest to go a single step at any point beyond the line which the people had set down in the constitution as the limit of federal power. The party would be stronger the more thoroughly it recognized that its real strength lay not in the constitution, on the right construction of

which views were becoming more divergent year after year, but in the fundamental principles of the moral consciousness of the western Christian civilized world, which could not be dogmatized out of the hearts and minds by men, by any letter-wise biblical exegesis with its absolute incapacity to understand them. Hence the party dealt itself a heavy blow when it gave cause for supposing that it did not, from faint-hearted opportunist considerations, hazard the unreserved confession that it deduced its *right* of existence from the constitution, but its *duty* of existence from the indestructible source from whose living waters the nation itself was able to draw its own historical right of existence. But considering the importance which the popular mind had for generations attributed to these sentences of the Declaration of Independence, the defeat of Giddings' motion must have appeared as a denial of these views, and it was therefore of an importance which must not be underestimated, that the convention came to a timely understanding of the fact that it had taken a wrong course. G. W. Curtis renewed the motion and the convention now adopted it.

The drafting and adoption of the platform required two days. On account of the late hour it was resolved not to proceed with the nomination until next morning (Friday, May 18). The *Independent* (May 24) thought that Seward's defeat was due to this accidental circumstance. It was able to support this view by Greeley's evidence, who telegraphed on Thursday evening to the *Tribune* that Seward's nomination seemed inevitable, because the opposition could not be united on any candidate.[1] Greeley, however, had allowed himself to be led to a false conclusion by his violent anger at the "obstinacy" with which every group clung to its own candidate. But if no union of the opposition had yet

[1] Barnes, Weed, II, p. 269. See, also, his detailed report in the *Tribune* of May 22.

been effected, no group had given out that it would go over to Seward rather than to any other candidate. But that was evidently the decisive question, in case Seward did not immediately receive a majority of all the votes. While two hundred and thirty-three votes were required for a nomination, he received only one hundred and seventy-three and one-half on the first ballot. Lincoln came next, with one hundred and two. Then followed Cameron with fifty and one-half, Chase with forty-nine, Bates with forty-eight, and the remaining forty-two votes were scattered among seven other candidates. On the next ballot the vote for Seward increased by only eleven, while that for Lincoln increased by seventy-nine — among these, forty-four from Pennsylvania, ten from Vermont and six from Ohio. Seward, indeed, still led him by three and one-half votes. But the gloomy seriousness expressed in the faces of the New York delegation, and the storm of tumultuous applause with which the multitude of spectators greeted the announcement of the number of votes cast for Lincoln, told plainly enough that there was no longer a doubt in any quarter as to what would be the result of the struggle. On the third ballot, Seward lost four and one-half votes, while the vote for Lincoln rose to two hundred and thirty-one and one-half. Before the result was announced, Cartter,[1] of Ohio, declared that the delegation of that state, which had now given twenty-nine out of its forty-six votes for Lincoln, transferred four more to him. This nominated Lincoln, and in accordance with custom the nomination was made unanimous. The delegation of New York honored itself by having the motion to that effect made by its spokesman, Evarts. With dignified decision the delegation refused to accede to the request that it propose a candidate for the

[1] I find the name spelt sometimes with one "t" and sometimes with two.

vice-presidency. The choice fell on Hannibal Hamlin, of Maine, an old democrat of the Silas Wright school.

There was a wide difference of opinion on the nomination. The disappointment of the Seward republicans was so great that many of them at first could not entirely restrain a feeling of indignation and bitterness, but that they would not be sluggish in the struggle, or remain inactive in a pouting corner, was not for a moment doubtful. "Although Governor Seward failed," said Schurz, "Mr. Lincoln's nomination nailed the good old republican banner to the mast as boldly and defiantly as ever." That they all had to grant, and that was decisive for them. Schurz concluded his masterly ratification speech in Milwaukee with the words: "New York and Wisconsin, who stood together to the last for Seward in the convention, will be the first and foremost in the battle for Lincoln and liberty." Weed acquiesced in this without reserve.[1] But, next to Seward himself, Weed was the man most bitterly disappointed, and hence other parties could evidently not expect the least advantage from the ill-humor of the Seward fraction. This became more apparent every day, for the number of those daily increased who thought as did the member of the convention who, when the official announcement of Lincoln's nomination was made, whispered to Schurz: "We might have done a more daring thing, but we certainly could not have done a better thing." A more unbiased opinion could now be passed, and hence, on the one hand, Lincoln was better appreciated, and on the other, it was more clearly perceived how hazardous Seward's nomination would have been.

[1] "It is a fortunate circumstance that it is the name of a true man, and that no personal disappointments, however severe, release republicans from their obligation to the cause and to the country. We can support Lincoln and Hamlin as cheerfully, and we shall support them as zealously, as we should have supported the candidate whom New York would have delighted to honor." Barnes, Weed, II, p. 272.

Now that people thought there was no necessity of any reserve on this last question, Pike stated with great positiveness in the New York *Tribune*, that the republican members of both houses had, almost without exception, considered Seward's election impossible, and had, therefore, breathed easier after the news came of the issue of the struggle.[1]

The abolitionists bore unwilling testimony to the fact that the convention had acted very wisely. They said, on the one hand, that Lincoln's nomination was "a bid for favor from self-styled conservatives, and a hint, if not a pledge, that republicanism, in the party sense, means not to be so 'black' as it has been represented," and on the other hand they did him the justice to aver that he was as decided an opponent of slavery as Seward — "which is really not saying much."[2]

A part of the democratic newspapers passed an entirely correct judgment both on Lincoln's strength as a candidate and on the firmness of his position on the slavery question. Many of them, however, made their criticisms accord with the tone of the New York *Herald*, which wrote: "The

[1] Pike, pp. 515, 516.

[2] 28th Ann. Rep. of the Amer. Anti-Slav. Soc., p. 25. It is all the more satisfactory that the abolitionists reached such an opinion, as Wendell Phillips was misled by his blind zeal into referring to Lincoln in these words: "this huckster in politics who does not know whether he has got any opinions (about slavery)." This reflection is an ugly blot on the memory of the "silver-tongued orator." He had published in the *Liberator* of the 22d of June, an article entitled: Abraham Lincoln, the slave hound of Illinois: "We gibbet a northern hound to-day, side by side with the infamous Mason, of Virginia." Lincoln had to thank his bill of 1849, for the abolition of slavery in the District of Columbia, for this. The provision on the extradition of fugitive slaves had so roused Phillips' moral indignation that he entirely forgot the rest of the bill to think only of it. He towered to that giddy height which neither the voice of common sense nor that of justice can always reach. See W. L. Garrison: The Story of His Life Told by His Children, III, p. 503.

conduct of the republican party in this nomination is a remarkable indication of small intellect growing smaller. They pass over Seward, Chase and Banks, who are statesmen and able men, and they take up a fourth-rate lecturer who cannot speak good grammar." The Boston *Transcript*, a neutral paper, however, immediately reminded the scoffers (May 19) of Polk, Harrison and Taylor, and advised them to learn the lesson from their election "that contempt for opponents is more pleasant than wise."[1]

[1] Lincoln at this time was characterized by no one so well as by the writer in the *Transcript:* "In regard to his mind and character, he seems to combine in a rare degree shrewdness with enthusiasm, practical sagacity with passionate devotion to principles, and in canvassing the state of Illinois against Douglas in 1858, he proved also that he was one of those sturdy workers who can 'toil terribly.' No public man of his party has a quicker, more instinctive perception of popular feelings and modes of thinking, greater facility in connecting his own opinions with those which obtain among the masses of voters, and a more insinuating way of proving that he 'is one of them.'"

CHAPTER V.

THE BALTIMORE CONVENTIONS.

It was to be supposed that the course of the Charleston convention would have kept the democrats from making the mistake which the Boston *Transcript* cautioned them against. But after the doings since then in their own camp, they should have been less tempted to ride a high horse.

A large part of the seceded delegates had acted without instructions, on their own responsibility. Their withdrawal could in no way bind the party in their respective states. The latter was entirely free to approve it or formally disavow them, and the frightful consequences to be expected were too evident for the conservatives everywhere to surrender the field to the radicals without a struggle.

Thirteen prominent citizens of Georgia directed to Alexander H. Stephens a written request for his opinion as to how the "catastrophe" could be averted "which put in equal peril the union of the states and the safety of the south." They therefore desired that delegates should be sent to the Baltimore convention, for the suicide of the democratic party filled them with gloomy forebodings.

In his answer of the 9th of May, Stephens agreed with them unqualifiedly and emphatically in that view. His argument, in brief, was this: Every one must see that it is the most disastrous folly to make a demand unless one is resolved to follow it up to its final consequences; that is, if the demand made in the Charleston convention was insisted on, and was not granted by congress, the slave states must secede from the Union. But that demand was in flagrant contradiction with the attitude which the south

had maintained for whole decades, as it had set up the principle of non-intervention and had ever defended it with all its might. If a quarrel with the north was desired, there was no lack of reasons for it. But, in that case, common sense required that they should stand on firmer ground; not because of the supposed shortcomings of the friends tried in many a combat, but because of the aggressive acts of their enemies, were they driven to a breach.

This reasoning could not be refuted, but it could convince the radicals only provided they had given up all hope of being able to bend the Douglas democrats to their will, and preferred a defeat by their friends to a victory of their "enemies." But neither the former nor the latter was the case.

The Douglas democrats could not boast of having won a victory in Charleston. The struggle was stopped after they had repelled the onslaught of the slavocracy. The latter, on the other hand, might have prevented the convention from performing its main task, and so long as no candidates were nominated, it might repeat the attempt to get the desired concessions on the question of the platform. The adjournment to Baltimore did more than afford Georgia, and the states which found themselves in the same situation with it, the possibility of disavowing the steps independently taken by their delegates. The Douglas democrats, too, might withdraw, if this were not done, and hence it remained impossible to put up candidates while observing the rules which had hitherto obtained. By this means, therefore, the final decision regarding the continued existence of the party on which they believed the preservation of the Union depended, might be devolved upon them, although the cause of their disruption was the *non volumus* of the states whose delegates had seceded. This revealed the policy of the radical slavocracy up to the Baltimore convention. The

Douglas democrats had, on the one hand, to be convinced that these would abide under all circumstances by the alternative given by them, and, on the other, it had to be made as difficult as possible for them to undertake the responsibility of a decision of the nomination question in harmony with the *non possumus*, with respect to the platform, at which they had stopped in Charleston. Both these ends would be attained if the struggle were renewed where it had been begun before the meeting of the Charleston convention and were continued with precisely the same tactics.

Davis had previously obtained a promise from the senate that his resolutions should be placed on the calendar as a special order, immediately after the convention. Even the republicans had not opposed his wish. That this would open the flood-gates for an endless stream of oratory at the expense of the legislative duties of the senate was certain. It was no less certain, however, that this debate would separate the wrangling democratic brethren still more widely, and the republicans, therefore, considered the time devoted to it very well employed.

Davis opened the debate on the 7th of May. Only a few days before he had said that, as he had remarked when he introduced the resolutions, he would have preferred to proceed to a vote without any long discussion. His speech filled sixteen columns in the small and close print of the *Globe*, but contained no new fact and no new argument.

The first to reply to him were neither republicans nor northern Douglas democrats, but opponents of these — his own colleagues, Brown and Clingman. The latter was followed by Benjamin. The speeches of Davis and Clingman had started the discussion of the constitutional side of the slavery question, and Benjamin now directly dragged the Charleston convention into it in such a way that the complete untenableness of everything Davis afterwards adduced

against the allegation that the resolutions were addressed to the democratic national convention was demonstrated in advance.

The most significant sentence in Benjamin's utterances was that in which he confidently asserted that the entire party would within six weeks be again united on a "basis of principles," because the majority in Charleston was only an apparent and fictitious one, and those who, for reasons of expediency, had refused to recognize the right principles, would show that they did not forget that honesty was the best policy.

This was a direct challenge to the Douglas democrats, and Pugh was the first to take up the gauntlet. It was not difficult for him to prove that Benjamin had selected only the facts that suited him, that he might find merely an apparent, fictitious majority as the result of his calculation; that the vote had been taken in accordance with the rules followed for years, and that the consolation he pretended to derive from his arithmetic was entirely baseless. That, however, was only one side of the question. The democrats of Charleston had before the convention laid down the principle, in a resolution, that the democratic party, so far as its influence in national politics was concerned, was coincident with the population of the southern states, and that, therefore, no constitutional right or principle which these unanimously demanded should be ignored or refused by the convention.[1] The premise to this conclusion was, indeed, an exaggeration, but was so near the truth that the inference from it could not be de-

[1] Nothing is plainer or better understood than that the people of the southern states constitute, for all practical purposes, the democratic party; and that no constitutional right or principle which they unite in demanding can be ignored or refused. Congr. Globe, 1st Sess., 36th Congr., App., p. 231.

nied a considerable degree of justification. The majority of the delegates was no "apparent" or "fictitious" one, but that majority represented, at the best, only a small minority of the electoral votes which could be won by the party. The northern democrats wanted to give it the platform and the candidates, but the credit of the victory would have belonged almost solely to the slave states. The latter, therefore, indisputably had reason to complain of a fiction, but it was the fiction that the party — together with all other parties — had made the foundation of the organization of the extra-constitutional nominating conventions — a fiction that might, under certain circumstances, lead to this, that the application of the majority rule would amount to a grievous violation of the fundamental democratic principle of the supremacy of the majority. This was the case here, in an extraordinary degree, and contributed a great deal to make the southern radicals venture to continue the struggle with such reckless determination for the recognition of the conclusions drawn by the Charleston democrats.

The five democrats who had thus far spoken had represented four different views, and every speech they made brought them into more violent collision. If things went on this way for six weeks, Benjamin's prophecy would scarcely be fulfilled. And these were only introductory skirmishes: the decisive battle did not begin until Douglas engaged in the struggle. Nobody could have hoped that he would withdraw. He was not the man to cast himself as a victim into the abyss, and if he had been, he would not have done it, because he was convinced that such self-sacrifice was worse than useless. If anything was certain, it was that he would use all his strength to make his followers resolve to persevere to the very last, for both his personal interest and his patriotism spurred him on to do

so. To the bitterness of the disappointment of his burning ambition was joined the glow of moral indignation. He saw revolting baseness in the fact that the slavocracy was trying to deprive him of the reward for which he had served it; for he took as the basis of his estimate of the debt of gratitude it owed him, the real weight of the moral and political responsibility with which he had burthened himself by the services he had rendered it, and not the pressure it exercised on his broad and hard demagogic conscience. It would have been difficult to solve the psychological riddle involved in this, if a spark of genuine patriotism had not always glowed beneath the cold dross of his ambitious demagogy. The more violent the tempest that swept over the country, the more it fanned that spark within him, and, in his eyes, the fulfillment of his personal wishes grew to be an increasingly imperative and urgent demand of patriotism. Even if a miracle had suddenly deprived his ambition of all but the merest sign of life, he would have continued his battle for the presidency with all the stormy energy of his being, because it became more undoubted to him every day that only his election could avert the dangers that threatened the country from right and left. Did Benjamin really believe it so easy to run aground the man who had accomplished more than any other for the slavocracy since the days of Calhoun, and who now felt and thought thus?

It had never been Douglas's way to act on the defensive, and he did not do so now. The resolutions were intended to dictate its programme to the Charleston convention, and the speeches on them and their adoption were now meant to terrorize the Baltimore convention. Such was his indictment, and he had a more irrefutable proof of it than the continual, direct reference of the southern speakers to both conventions.

"We have now to do only with the principles," replied

Davis again and again to Brown's demand for not words only, but for action in accordance with words. But if no practical consequences were, at the time, to follow the resolutions, and no pressure to be exercised on the Baltimore convention, what sense was there in wrangling for weeks over constitutional doctrines, while all sorts of important bills were waiting to be disposed of? Davis himself was far from denying that the resolutions had an eminently practical importance. His emphatic repulse of Douglas's charge was, after all, only an idle game of words. He made no concealment of the fact that, in his opinion, honor as well as interest forbade the southern democrats going any longer with the northern, if the latter persisted in maintaining the attitude they had assumed in Charleston; and he thus admitted all that was material in the charge. "We all," said Douglas, "profess to believe that the democratic party is the only organization now adequate to the preservation of the Union. He who attempts to break up that organization looks with complacency to the only alternative which we are told is to follow, to wit: disunion." But you declare yourselves irrevocably resolved to disrupt the party, because the Charleston convention decided to preserve the platform for which all the representatives of the southern states had voted in Cincinnati. "If this platform was so frightful and so vicious, so fatal to southern interests, and destructive of southern rights, how happened it that every one of you indorsed it in 1856? Did you not know what your rights were then? Were you not as much devoted to the interest and honor of your states then as now? How happened it that every state of the Union voted for it then, if it is sufficient cause for disruption now?"[1]

To this there was no answer. Davis's reply was only an

[1] Congr. Globe, 1st Sess., 36th Congr., p. 2152. See, also, App., p. 311.

admission that Douglas had found a new weapon. "If we got the right man," he said, "we might accept him, even with an unsatisfactory platform."[1]

Ah! replied Douglas, why did you not tell us immediately that the whole controversy was not, as you said in Charleston, about the platform, but about the man? Is that your game? The platform of no moment if you get a man acceptable to you; if not, then to let everything go to pieces, and solemnly swear that persons are nothing to you, but that the platform sacrifices the honor, rights and dignity of the south?

Davis tried to parry the blow with the venerable subterfuge: "I was not speaking for others, I am only a small man."[2]

If Davis alone personally were concerned, it would have been of little importance that Douglas achieved so brilliant a victory. But, in Davis, the mask was torn from the face of the whole radical faction. Yet the victory acquired its full value only from the fact that, in the heat of battle, Douglas let fall his mask also. He again had read that part of Buchanan's letter of acceptance in which the Kansas-Nebraska bill or the Cincinnati platform was interpreted to the effect that "the people of a territory like those of a state" — therefore not solely when the territory became a

[1] "The senator has asked how it is that Mississippi and Alabama went for Mr. Buchanan, and cannot now go for another candidate on the same platform. They might. I think that would depend a good deal on who the candidate was. The fact is that I have a declining respect for platforms. I would sooner have an honest man on any sort of a rickety platform you could construct, than to have a man I did not trust on the best platform which could be made. A good platform and an honest man on it is what we want; but I can imagine a candidate who could be so acceptable to those states as to secure their vote even on a platform of which they disapproved." Congr. Globe, 1st Sess., 36th Congr., p. 2155.

[2] Ib., p. 2156.

state — had to decide whether slavery should exist or not exist, and then declared: "I do not ask that you will now give it (the platform) that construction. I only ask that you now adopt the platform and let it construe itself." These words were spoken by the man who, during the last two years, had declared again and again that the continued existence of the party was neither possible nor desirable, if it could set up no platform that was to be interpreted in the same way in the north and the south, and who in the great debate of the 23d of February, 1859, had cried out, with such emphasis: Neither do I want to deceive or be deceived. The Union could be preserved only on condition that the supremacy of the democratic party continued, and the democratic party was to render its perpetuation possible, by the two factions on the question which alone jeopardized the existence both of the Union and party resolving to prolong the last lying pact by means of which, as appeared, they had endeavored to extinguish the flames of dissension with oil.

Judged from the point of view of those who at the time had entered into the untruthful pact in good faith, could the proposition be looked upon even as equitable? Was not all right to again propose "to agree to disagree" — for "to let the platform construe itself" was only a new formulation of that old maxim — forfeited by the Dred Scott decision? The agreement was surely to the effect that it should be binding only until the supreme court of the United States had decided which of the two opposite interpretations of the "great principle" of the Kansas-Nebraska bill had the sanction of the constitution. Was it, therefore, not the Douglas democrats themselves who set aside the pact of 1854 and 1856 by demanding that the double interpretation should stand until further notice, although the supreme court of the United States had decided in favor of the more extensive claims of the slavocracy?

"By no means," replied Pugh to this charge of the radicals. "We still acknowledge the obligation entered into of submitting absolutely to the decision of the federal supreme court." But the Kansas-Nebraska bill established: (1) That an issue subject to judicial decision must have arisen out of an act of the territorial legislature directed against slavery; (2) that such issue might, contrary to the provisions hitherto in force with respect to the jurisdiction of the supreme court of the United States, be taken to it from the highest court of the territory; (3) that when so taken, the decision must be made on previous argument of both parties to the suit. None of these three conditions was fulfilled in the Dred Scott case, and the decision of the supreme court of the United States, which, according to the pact of the two democratic groups, should be binding on the whole party, was not yet made.[1]

That these criticisms were well founded could not be questioned, and the non-fulfillment of the third condition was unquestionably no mere formal question, but of considerable and material importance. If the pact had been a civil contract, on which a court could have passed, its judgment would doubtless have been that the Dred Scott decision was not the decision it contemplated. But it was a political agreement, in which, essentially, only the fundamental idea was to make the supreme court of the United States the arbiter between the two democratic factions. Pugh's objections were, therefore, no sound reason, but only a good pretext, for refusing to consider the controversy as decided; for the Dred Scott decision was an authentic declaration of the opinion of the supreme court of the United States on the question in controversy, and all the arguments of all the lawyers in the Union could not induce one of the judges to change his opinion on this main question. Even if the slavocracy had looked upon the pre-

[1] Congr. Globe, 1st Sess., 36th Congr., pp. 2241, 2242.

text as a sufficient reason, and had accepted Douglas's proposition, all that would have been gained would, therefore, have been a short delay. So far as the present presidential election was concerned, people would have continued to deceive themselves on the incurableness of the breach, but the slavocracy would not have rested until they had obtained a decision in accordance with the provisions of the Kansas-Nebraska bill; and then it must appear, just as it did now, that the political contest had gone too far beyond the constitutional question to be settled by a judicial decision. The observance of the pact was, from the start, impossible, because the controversy had been referred to a tribunal incompetent in the very nature of things. The radical slavocracy had not subjected itself to its decree, if that decree went against them, because they had long been irrevocably resolved to recognize no interpretation of the constitution which was irreconcilable with the law of self-preservation; and the Douglas democrats would not have been at all able to subject themselves to it if they had wanted to, for the political court of last resort, the public conscience, could no longer be induced to ratify such a construction of the constitution. Brown had declared weeks ago that the supreme court of the United States was not able to offer them any satisfactory guaranty, and the democrats talked about the Dred Scott decision in a manner which showed clearly that they had promised more than they could perform. The distance between the two factions became greater and greater,— here despite, and there because of, the Dred Scott decision.

Great as was the untruth of which Davis and his associates were convicted by Douglas, they might, therefore, to this extent, accuse him of a still greater untruth. To Clingman and Brown, who had already frequently played the part with remarkable success of the *enfants terribles* of the

slavocracy, belongs the credit of having proved at the close of the debate that the question to which faction the prize should be awarded here was one that could not be decided.

After the most important fourth resolution had been adopted by a vote of thirty-five against twenty-one, Clingman moved the following addition: "Resolved, that the existing condition of the territories of the United States does not require the intervention of congress for the protection of property in slaves."[1] Brown moved that the "not" be stricken out.

The effect of the two resolutions was almost comical. Like a swarm of startled wasps Davis and the other radicals fell upon the awkward bunglers. You have no right, and there is no sense in it, to compel us in a declaration of principles to pass judgment on such a question of fact. We will not and cannot do it. "Has the ocean been lashed into a fury to waft a feather or to drown a fly?" queried Brown. Why have we sacrificed the entire session to the discussion of this question if there is no necessity of acting or of expressing an opinion? Kansas has abolished slavery,[2] and made it punishable to claim a negro as property, and yet we must have no opinion and express none on the question of fact? We have all the laws and the records of the sessions of all the territorial legislatures, said Pugh. What information can the gentlemen get that we have not already? I, therefore, want to know whether the resolutions are only a platform or aimed at legislation? Must the principles declared in them receive practical application, and when are they to receive it? Who is to determine when a necessity for application arises — the gentlemen of the south or of the north who vote for them? Must the resolutions now remain abstract principles, although one

[1] Congr. Globe, 1st Sess., 36th Congr., p. 2322.
[2] 23d of February, 1860.

territorial legislature (New Mexico) has introduced slavery and another abolished it, but be made the basis of legislative action as soon as the presidential election is over?

These questions had been repeatedly asked during the course of the discussion, but these gentlemen had always avoided giving an answer. The importance of Clingman's motion and Brown's amendment lay in the fact that they made such evasion impossible. With whatever comments the vote might be accompanied, yea or nay had to be voted, and to vote against the motion as well as the amendment would be a confession that they had wasted the time of the senate in a frivolous manner and played a shameful game with the peace of the country, or else were pursuing ends which would not be openly admitted until a more opportune time.

Only five senators voted for Brown's amendment, but twenty-three votes were cast against Clingman's motion. Out of their own mouth, therefore, eighteen senators were convicted of fishing this way or that, in troubled waters. But not even the slightest value could be attributed to the adoption of Clingman's motion by a majority of three votes, because a motion made by Collamer to add to it the words, "and in our opinion never will," had been rejected by a vote of thirty-three against sixteen.[1] It might well exasperate and embitter the people that the senate had by means of the Davis resolutions allowed it to become the principal task of the session to stir up the sectional quarrel, although it declared, by the vote on Clingman's motion, that no facts existed that could justify it; but the people could find no consolation after it had admitted, by an

[1] On Wilson's motion, this decision was brought up for reconsideration and defeated on the 25th of May. Wilson defended his motion by saying that the resolutions were a family affair of the democratic party. "I want to wash my hands of all connection with any of the resolutions." Congr. Globe, 1st Sess., 36th Congr., p. 2352.

overwhelming majority, the possibility, in a more or less remote future, of positive legislative interference of the federal government in favor of slavery in the territories.

Another motion by Clingman made still clearer how consciously and intentionally the slavocracy endeavored to leave the people in the dark at first as to what they really meant to accomplish by the resolutions.

The fifth resolution spoke in only very general terms of "constitutional rights in a territory," for the sufficient protection of which congress was bound to provide, if the executive and the courts did not do it or refused to do it. Clingman moved the amendment: "Provided, that it is not hereby intended to assert the duty of congress to provide a system of laws for the maintenance of slavery." He defended his motion by saying that the vague terms of the resolution made northern democrats also fear that inference. Such a degree of ingenuousness must have been surprising even in Clingman. Did he believe that unclear thought or a want of skill in the use of words was the cause of the vague wording of the resolution? I can have nothing, said Collamer, against the resolution; but I do not understand what the resolution, which is unacceptable to me only because of its connection with the other resolutions, has to do in this place, if "constitutional rights" do not mean slavery. Two of the most decided democrats hastened to confirm this judgment of the republican, in their own way, with bitter emphasis. Our opinions indeed differ, said Green, as to what constitutional rights are, but every republican and every democrat must admit that all constitutional rights must be protected; only the senator from North Carolina says, "except slaves." And Iverson declared that he wanted the recognition of the constitutional rights of the south, and did not care whether they pleased the northern democrats or not.

Clingman seems to have been really led by these comments to see that the resolutions did not mention slavery, not because there was no thought of protective laws for slavery, but in order that the northern democrats might bind themselves to the principle, although the obligation to pass such laws might be inferred from it. He endeavored to make amends for his mistake, as far as was still possible, and to that end inserted the phrase "at this time," after the word "intended." He thus spoiled the whole affair. Amid the laughter of the house, Hale sarcastically advised him to choose the indefinite phrase "about this time," because, in those days of strict construction, people might take "this time" to mean "at this hour." And Grimes excited similar merriment by his amendment, offered with comical gravity, to insert after "this time" the words "or until after the ensuing presidential election." Indeed, in its new form, Clingman's motion looked as much like a confirmation of the fear which the original motion was intended to dissipate as one egg looks like another. Yet Clingman was docile. He now saw clearly what a stupid thing he had done, and he wanted to let his motion drop. To do this, however, the rules required that he should have the consent of the senate, and the republicans, of course, objected. Clingman's short-sighted zeal to smooth the way for the northern democrats as much as possible through the Caudian Forks, forced the senate, by a vote on the charge, to answer that in the apparently so harmless fifth resolution lurked the spectre of a slave code, and refused, by thirty-one against twelve votes, to expressly declare that there was no ground for the suspicion.

Davis's triumph was complete, inasmuch as all the resolutions were adopted. But he could feel satisfaction over the victory only because he had endeavored to obtain not positive but merely negative success. Nobody any longer

expected that the final results of the voting would exercise any influence on the further course of things, and they exercised none. But the discussion made two things as clear as the noon-day sun: The resolutions were so many snares and traps into which the Douglas democrats could not, with open eyes and full consciousness, trust their hands and feet, and the southern radicals were satisfied to run the risk of a republican victory, and to take all the consequences of it, if the northern democrats did not give them at least the candidate for the platform; that is, let them make the platform the empty shell of the nut by the person selected as the candidate. The secession in Charleston had been ratified in a manner which made it certain that people were confronted not with a threat, but with an irrevocable resolution: We cannot, we will not, we shall not allow ourselves to be out-voted. That this was the final answer of the Baltimore convention to the Douglas democrats was the real result of the discussion, and that answer left only the How and eventually the When of the disruption of the Union an open question. Only the illusion that the Whether was still debatable could now materially influence the How and the When by the many and varied attempts at rescue. The debates on the Davis resolutions, to which American historians have hitherto paid scarcely any attention, are, therefore, of much greater importance for the right understanding of the irrepressibleness of the conflict than the numberless compromise proposals and the endless negotiations between the federal executive and the seceded states which they never tire of following into the remotest details, although quite a voluminous library has been written on them.

A few days after the close of the debate, Sumner delivered a great speech in the senate — the first after Brooks's murderous attack which had silenced his eloquent tongue

four years before. It was, so to speak, the benediction that followed the democrats on their way to Baltimore; and as it was decided that they should now continue and complete what had been begun in Charleston, it could not have been spoken by a fitter person, nor could a more appropriate text have been found for it. His theme was "the barbarism of slavery." No sooner was it ended than Chestnut gave an astounding illustration of the demoniacal power of the barbarism just alluded to. His reply occupied scarcely two minutes, but so enormous an amount of brutality and venomous vulgarity was condensed into the few sentences he uttered, that the annals of congress, rich as they are in such material, has nothing to match them. In order not to support the "apotheosis of pusillanimity and meanness," the representative of South Carolina had only a sharp angry hiss for answer to the judgment which the "incarnation of malice, mendacity and cowardice," deified by the abolitionists of Massachusetts, had passed on slavery. But no other answer was now needed, since the slavocracy were about, by their irrevocable renunciation of all who would not absolutely subject themselves and the Union to them, to judge themselves, and thereby draw down upon themselves and their accomplices the whole American people, the judgment of heaven.

The convention could not begin again in Baltimore where it had broken off in Charleston — that is, proceed immediately with the balloting for a candidate. It had first to be decided who was entitled to a seat and a vote. This was a debatable question, mainly because, in some of the states whose delegates had seceded, the demand that new delegates should be elected had been acted on. The seceders, however, claimed that if they wanted to exercise their rights again, the convention had no power to declare them forfeited. These views were approved by all who had not,

indeed, joined the seceders, but still had sympathized with them. Those, too, who considered it a patriotic duty to leave nothing untried which might possibly lead to a reuniting of the party, associated themselves with the latter. But the question of credentials and the question of candidates were coincident, for it was exactly known what delegates were for and what against Douglas, and the struggle, at least at the beginning, had been completely shifted from the platform question to the question of candidates.

In accordance with the intimation given by Davis, referred to above, a last great effort was made by a part of the slavocrats in this direction. According to Cochrane's report,[1] Toombs and Breckenridge especially endeavored to bring about an understanding, and Slidell was sent as an authorized mediator to Baltimore. The feeling he there found, however, was so unpromising that it was only with difficulty he could be persuaded from immediately returning to Washington. When Dean Richmond and Cochrane called on him, after the first session, he asked them to induce the New York delegation to put up Horatio Seymour as a candidate, and promised, in case they did so, the return of the seceders to the convention, and the support of Seymour's candidacy by the entire south. Although Dean Richmond favored the acceptance of the proposal, the delegation rejected it, and all negotiations were broken off. With the attempt to bribe the New Yorkers by offering them the nomination of a politician of their state, the southern gentlemen had played their last trump. But they had never ventured to hope that the northwestern delegates would allow themselves to be alienated from Douglas. Their threats seemed to embitter but not at all to intimidate these.[2]

[1] The War for the Union, p. 11.

[2] Halstead writes: "The appearance of the seceders at Baltimore,

The committee on the election of delegates, to which all controversies relating to credentials were referred, brought in three different reports. The majority report declared wholly in favor of the Douglas delegates. After a long and excited debate the motion to substitute the minority for the majority report was lost by a vote of one hundred and fifty to one hundred and one-half votes.[1] Notices of withdrawal now followed one another in quick succession. Oregon and California went with the slave states, and a part of the Massachusetts delegation left, because, as Benjamin Butler said, the majority of the states was no longer, or only partly, represented in the convention.[2] Cushing, on like grounds, and for the further reason that he no longer represented the views of the majority, resigned the chairmanship.

Many of those who remained had heavy hearts. But they were left no other choice. West, of Connecticut, described their situation in a few words: "We simply ask that you shall not take a position which shall be tantamount to absolute ruin when we return to our constituents."

A nomination in accordance with the decision given by Cushing in Charleston was no longer possible now, nay not possible at all, because the seceders represented more

and their evident purpose and power to control the convention or destroy it, produced extremely hostile feeling on the part of the northwest. . . . The democracy of the northwest rose out of the *status* of serfdom. There was servile insurrection, with attendant horrors, and Baltimore became a political St. Domingo. The south was amazed to hear its favorite threat of secession despised and hooted at." Caucuses of 1860, pp. 228, 229.

[1] Proceedings, p. 133.

[2] With respect to himself he said, amid the great excitement of the assemblage: "I will not sit in a convention where the African slave-trade — which is piracy by the laws of my country — is approvingly advocated."

than a third of the total electoral votes. Why, notwithstanding this, they proceeded with the nomination, was self-evident; but it was not so plain why, in doing so, they were guilty of a gross inconsistency which might be taken advantage of by their opponents. After the third ballot, a resolution was unanimously adopted declaring that, according to the provisions under which the nominations in all previous democratic national conventions had been made, Douglas was the regular candidate of the democratic party, since he had "now" received two-thirds of all the votes that had been cast. This resolution contained an actual untruth. Not "now," but on the very first ballot, Douglas had received over two-thirds of the votes cast, and therefore he was then the "regularly" nominated candidate, and the second ballot was wrongly taken, or else he was not now, and could never become, such candidate.

Senator Fitzpatrick, of Alabama, was nominated for the vice-presidency. He declined the candidacy, however, two days later, and the national committee, after consulting with Douglas, put H. V. Johnson in his place. Fitzpatrick had declined because — as was of course known to every member of the convention — he supported the Davis resolutions. Johnson accepted, although he — as the national committee also well knew — had always hitherto advocated precisely and emphatically the very same views. The choice of both had been made, unquestionably, not in spite of this, but because of this. Their nomination was intended to prove to the south that the northern democrats were far from being as black as the Fire-eaters painted them, but would, conformably to the double-faced "self-construing platform," remain honestly and strictly true, in the question of persons, to their character as a party with a double face. And even after this, the gentlemen who were so proud of having had the moral courage to answer

for their convictions (!) and break the chains of servitude they had borne so long did not think they had done enough.

Douglas had directed a letter to a member of the convention in which he again demanded, in the most precise language, the unconditional recognition of the right of self-determination of the territorial population with respect to slavery: "Intervention means disunion," and "there is no difference in principle between northern intervention and southern intervention."[1]

The convention had nominated him, but afterwards adopted, on motion of Wickliffe, of Louisiana, an additional article to the platform, declaring it to be the duty of all good citizens and of the powers of the government to submit to the decisions, present and future, of the supreme court of the United States, as to how far the authority of the territorial population extended with respect to slavery. It is true that Douglas had not intended, in the letter just referred to, to recall the declaration he had made numberless times, that the decisions of the supreme court must be controlling. But that did not solve the riddle, how the demand made in the letter was to be reconciled with the obligation entered into in the additional platform article. To Douglas, who had known long ago how to find a confirmation of his "Popular Sovereignty"

[1] Only this demand seems of any moment to me. The declaration that they might drop his candidacy if they considered it proper, I can ascribe no importance to. Schurz, in his speech of September 13, 1860, advocated with great oratorical effect the view that Douglas wished they might leave him out of consideration, because he saw it would be impossible to elect him. (Speeches, pp. 214, 215.) The whole character of the man makes this assumption seem to me inadmissible; he had never yet evinced such a fine feeling of honor, that one could believe, with Schurz, he had found his position "disgusting." But, above all, I see in that demand the proof that the declaration was only the cloak he used in the role of the unselfish patriot.

principle in the Dred Scott decision, this might have been easy. But all who were not Douglas democrats could find the solution of the riddle only in the fact that Douglas himself, as well as the democratic party, was double-faced: the Cincinnati platform re-adopted in Charleston and his letter were his northern face, and Wickliffe's additional article was the mirrored picture of his southern face. That the convention, on leaving the stage, made its parting bow to the people with this face, caused that dramatic unmasking scene in the great senate debate to appear in an entirely new light. It would have ill befitted Douglas severely to reproach Davis, because the slavocracy wished to make their attitude towards the platform depend on the person of the candidate. What the slavocracy had intended to do, his own party had done. Now, after they had decided the candidate question to suit themselves, they demonstrated by action that, with regard to the platform, they were by no means so petty, but were willing to pay something to win southern votes for their man.

The seceders, the rejected delegates of Louisiana and Alabama, and the delegates of South Carolina and Florida chosen for the Richmond convention, met on the 28th of June in Maryland Institute, in a convention of their own, chose Cushing as chairman, unanimously adopted the Charleston minority platform,[1] and put up Breckenridge and Lane as their candidates. The Richmond convention gave its adhesion to these resolutions.

At the first glance, it might surprise one that a candidate of more outspoken radical tendencies had not been preferred. In his letter of acceptance, Breckenridge, indeed, declared it to be a direct consequence of "that equality which is, and ever has been, the vital principle of our con-

[1] That is, the platform recommended by the minority of the convention.

stitutional union," that not the slightest obstacle should be placed in the way of slavery in the territories either by territorial or federal laws, and claimed that it was "the plain duty of the federal government, in all its departments, to secure, when necessary, to the citizens of the states, the enjoyment of their property in the common territories." He had, however, said, in a speech of the 23d of March, 1854, in the house of representatives, that the south was as far from asking interference in its favor as it was from being willing to suffer interference against it.[1]

With respect to the power of the territorial population, he had, however, in this very speech, alluded expressly to possible limitations to which they might be subject by the constitution, and the republicans unquestionably did injustice to him by saying nothing about this in their references to the speech.[2]

But he had then, and repeatedly in the following years, expressed himself with the greatest positiveness to the effect that he held that the people of the territory had the right to settle the question for themselves, and that he had nothing to do with a party that agitated in favor of slavery or with any that wanted to curtail the right of self-determination of the territories with regard to it.[3] How far these

[1] "We do not ask congress to interfere for us, and we will resist all legislative interference against us." Congr. Globe, 1st Sess., 33d Congr., App., p. 441.

[2] They quoted only the following passage: "I repeat the broad and plain proposition, that if congress may intervene on this subject, it may intervene on any other; and having thus surrendered the principle (!) and broken away from constitutional limitations, you are driven into the very lap of arbitrary power. . . I have never acquiesced in this odious claim, and will not believe that it can abide the test of public scrutiny." Ib., p. 442.

[3] "I gave it (the Kansas-Nebraska bill) my voice and vote, because it acknowledged the right of the people of the territory to settle the question for themselves." "I am connected with no party that has for its

earlier views were really in conflict with his present ones we need not examine here. His opponents could, however, find proof enough of the reproach of inconsistency to exercise a powerful pressure on a large number of voters. The Maryland Institute convention was not unaware of this. It had chosen him precisely because his opinions were just varying enough in hue to keep him from being counted among the real radicals. Its choice was determined even more by consideration for the border states than by the desire not to exact too much from the anti-Douglas democrats of the north. It was not to be hoped that the border states might be won for a genuine Fire-eater, and the position they took was of the greatest importance not only for the presidential election, but might, besides, after it, if the republicans were victorious, be decisive in the final settlement of the controversy. Breckenridge's nomination was intended to hold fast those anti-Douglas democrats who might have easily turned against the southern democratic party by fear for the continued existence of the Union.[1] The latter, therefore, so far as it was possible for it, had, notwithstanding its Avery platform and Breckenridge's letter of acceptance, put a Janus head upon its shoulders for the purposes of the electoral campaign.[2]

Four parties in the field: one with a natural, single-faced head; two double-faced ones with the same name, and one with no face at all — such is the grotesque picture of the last presidential election in the old Union.

object the extension of slavery; nor with any to prevent the people of a territory from deciding the question of its existence or non-existence with them for themselves."

[1] See Breckenridge's speeches of the 18th of July and the 5th of September in Frankfort and Lexington, Kentucky, of July 24 and September 6, 1860.

[2] See the New York *Tribune* of the 27th of June, 1860.

CHAPTER VI.

THE PRESIDENTIAL ELECTION.

There were four candidates in the field, and yet it was certain from the first that there were only two possibilities, if the parties continued to maintain the positions assumed in their respective nominating conventions.

Personal participation of the presidential candidates in the electoral campaign had hitherto not been usual. Cases had, indeed, already occurred in which, when directly interrogated, they had published explanations as to their position on this question or that, or had spoken a few words to the crowds who gave them a public ovation. But these things had never borne the character of a participation in the agitation. Douglas broke this old rule with his wonted recklessness. He traveled over the country to give his adherents opportunities to create occasions for his talking. He spoke so often that, measured by the number of his speeches, he stood in the first rank of agitators for his party, and, so far as success was concerned, he unquestionably held the foremost place among them. The ponderous, stormy style of oratory, the sharp dialectics, the brutal certainty with which he trod the stage, and the deep chest tones of unshakable fidelity to conviction with which he brought forward the bewildering mixture of audacious sophisms and empty commonplaces in the disguise of great principles, gave him extraordinary power over people who did not possess moral energy enough to be accessible to disagreeable truths, so long as arguments could be found to blind their eyes to them. As he had to do with such people, as the same was true of the Bell-Everett party,

and as, moreover, the number of those was presumably quite large who could be persuaded, under existing circumstances, not to consider that which was in itself most desirable as most nearly right, but that which most certainly guarded against the greatest evil, the gain which he might expect from his direct canvass for votes was so great that the disregard of the proprieties by a man of his stamp need not surprise us. But his wishes can scarcely have blinded him to such an extent that it can be assumed he considered it possible he would receive a majority of the electoral votes. So far as the southern states were concerned, he could not, after the course of the Baltimore and Charleston conventions, harbor any illusions, and that the majority of the free states were safe for the republicans had never been doubted. It did not follow herefrom, however, that he must not have acknowledged this, or that the motive of his action, so grossly opposed to traditional custom, could be merely the unselfish, patriotic wish to prevent the worst — that is, Lincoln's election. It was by no means certain that the choice of electors on the 6th of November would be decisive, and if it was not, only one of the candidates would go out of the game, which would be continued by the other three. But that Douglas would succeed in winning more electoral votes than Bell was generally considered possible and for the most part even probable.

That the idea of the possibility of Bell's election was not seriously entertained was beyond all doubt. Even if he had far better prospects than Douglas, in the slave states, he could build no hopes on the cotton states, and in the free states he had no chances whatever.

This last could not be said of Breckenridge without some qualification. Although his victory in any of the free states could not be looked upon as probable, it would not have been a matter of surprise if in California and Oregon

the relative majority of the voting population cast their ballots for him; and in Pennsylvania his prospects were certainly no worse than those of Douglas. Notwithstanding this, however, his election was so improbable that his own partisans, in their speculations on the future, took this possibility very little or not at all into account. Although he had not been a radical himself hitherto, he was the candidate of the radicals, and both the mode of operation and the ultimate aims of the latter were so far from receiving the undivided approval of the southern population that a splitting of their electoral vote, to a greater or lesser extent, was to be expected. Well as it suited the radicals that this opposition was divided into the old whigs and the Douglas democrats, it was certain that, in the border states, one or other of them would lose some of the former or the latter. If they won Oregon, California and Pennsylvania, the whole electoral vote of the slave states must be cast for Breckenridge in order to elect him. He could not even do without little Delaware with its three votes.

The question to be decided on the 6th of November, therefore, was not: Which of the four candidates will be Buchanan's successor? but: Will Lincoln be the next president, or will his election go to the house of representatives?

Who, in the latter case, would be the next tenant of the White House, was, of course, uncertain, but unquestionably Lane had by far the best prospects. In the house of representatives the parties were so divided that there could be little hope of uniting on one of the three candidates who had received the largest number of electoral votes a majority of the votes of the states. If this was not done before the 4th of March, the duties of the president would devolve on the vice-president. In the narrower election for the vice-presidency, however, there were only two candidates, and

it is clear from what has been said above that Hamlin and Lane would be these two. That the senate would not elect Hamlin, no matter how many more electoral votes than Lane he might have received, could be considered certain.

In the Breckenridge party there were certainly many who would have hailed such a result of the electoral campaign with joy. It may, however, be said with considerable certainty, that it would not have been agreeable to the real leaders of that party, that is, to the southern radicals. They were, with full consciousness, pressing a decision, and were altogether too clear-sighted to be able to look upon such a victory as a decision. The last word could no longer be spoken in Washington. The court of final resort in American political life, the people, had taken the question before its forum in such a manner that the crisis had to continue a permanent one so long as it had not delivered an entirely clear decision, and precisely in this it differed from all former crises. The politicians might, indeed, still accelerate the rolling of the stone, but they were no longer able to stop it, even if the fatal plunge did not yet happen. Lane might, in a constitutional manner, become the holder of the executive power for four years, and he was one of those whom Davis had said the south might trust, even with the Cincinnati platform. But Lane himself, with a democratic majority in both houses of congress, would not have been able to procure permanently for the slavocracy the guaranties it demanded. The more recklessly they would have tried to do it, the more certain, the more swift and the more vigorous would the reaction have been. That the manner in which a representative of slavocratic pretensions had got into the White House could not be objected to on constitutional grounds in no way altered the fact that an immense majority of the people had held, and still held, that these pretensions must, for constitutional, political, econom-

ical and moral reasons, be rejected. Hence, this was not a case in which the postponement of the impending catastrophe made its prevention possible. Even if Lane had received the largest number of electoral votes, that majority, although they had nothing in common but opposition to those pretensions, could see only a yoke forced on them in laws, the passage of which had become possible only because, at a very abnormal time, a minority had for the moment come into the possession of power in an unusual way. It would have been a rightful possession, but the people would have been fully conscious that it was not in accordance with their real will, and laws become living forces, in the American democracy, only through the people's will. But if Lane did not receive even the largest number of electoral votes, the charge would unquestionably have been made, as it had been on the election of John Quincy Adams, that the letter of the constitution had done violence to its spirit, and that the fundamental principle of American nationality, the supremacy of the people's will, had been trampled under foot. The minority, it would have been said, did not owe its improper supremacy to the favor of circumstances, but that supremacy had been obtained in an unfair manner by a scandalous, conscienceless exploitation of circumstances. Dissatisfaction would have been turned into exasperation, and a demand for chastisement and retaliation would have been added to the legal efforts for relief. The day would have been won by passion, and the flood of filth poured out during its heat, together with intrigue working with all conceivable means of corruption, would have generated a poisonous exhalation, the effects of which would have extended as far as the pioneers in their log-houses had pushed the boundaries of civilization. And this could not possibly be avoided if no party received an absolute majority of the electoral vote on the 6th of No-

vember. The more improbable it was that an election would take place in the house of representatives, the more it must be expected that all base arts would be resorted to in the fullest measure and with utter shamelessness, in order by a disgraceful bargain to obtain the prize which had been striven for in vain in honorable battle.

The certainty of this must have made every patriot whose political thought and feeling were not entirely absorbed by party, see a serious national misfortune in the postponement of the decision until March. The most clear-sighted in this respect were of course the republicans, because they alone could hope for a direct victory. Next to them, the Bell-Everett party evinced the best understanding of the dangers involved in the resultlessness of the election by the people. The explanation of this was not to be sought for in the doubtfulness of their candidate's coming into the narrower election. The honesty and warmth of their patriotism was inversely proportional to their political insight. Among all the lamentable possibilities presented by the electoral campaign, they looked upon Lincoln's election only as a greater evil than its resultlessness. They were thoroughly convinced that it was a most sacred, patriotic duty to avert these two dangers from the country, no matter at what sacrifice — that is, to others. The idea of making that sacrifice themselves had not occurred to them, although the kind of self-sacrifice it required was certainly to be found among them, in a higher degree than in any other of the parties. It was simply self-evident to them that the sacred duty of patriotism forbade them to do what they expected others to do. These should be ready to make the sacrifice of subordinating their party interests to the welfare of the republic. If they had lent their assistance to prevent the greatest evil, by bringing a lesser one on the country, they would have left the

service of the republic to enter the service of a party, for they were, in principle, the neutral party. They could not get out of the vicious circle of this reasoning, and their dread of an election by the house of representatives was just as fruitless for the country as their conviction that a settlement of the slavery question could not be attempted without frightful consequences to the land. They were and remained, on principle, the party of passivity, whose existence served only to make as much free room as was necessary for the other parties to come with all their force into collision with one another.

Which eventuality Douglas feared most cannot be said with certainty. He probably was not able himself to give a clear answer to this question. He repeated the compliment of the Bell-Everett people, who looked upon his election as a lesser evil than the other disagreeable possibilities. But if he saw scarcely any danger in their victory, in itself, still less did he see any protection against the impending dangers in the fact that a fervent allelujah before the holy ark of the covenant, the constitution, was made the sole political programme. The suggestion of suffering a sacrifice in favor of that party, he could, therefore, consider only foolish, because it was useless. Whether, after the disruption of the democratic party, any value could still be ascribed to such a postponement of the decision, must have seemed to him, at least, very doubtful. His repeated, emphatic declarations with regard to the fatal consequences to be expected from Lincoln's election were, unquestionably, no comedy. He was fully convinced that the southern radicals were fearfully in earnest in their threats of secession, but he was not one of those who could be frightened by such threats into every supposition as to what they would do. However low the estimate that may be placed on his ethics and capacity for statesmanship, his

force and courage cannot be gainsaid, and his insight was so far-reaching that he would not surrender the essence in payment for the preservation of the form. With the most daring sophistry, he had handled the constitution like a lump of clay which must let itself be moulded into any form the potter likes, but he was never a doctrinarian sicklied over with the pale cast of the thought which would by interpretation take the supremacy of the law out of the constitution. He had never approved its elimination. To refuse to recognize the constitutional election of a republican was, in his eyes, revolution, and he thought he might wash his hands in innocence if the slavocracy plunged into such a revolution. A constitutional way to protect themselves against the dangers that threatened them had been open to them, but they would not go that way. They had preferred a defeat without him or against him to victory with him, and now they might see whither that led them. To ask him to allow his own action to be determined in any way by consideration for the Charleston and Baltimore secessionists, and at his own expense, was to add mockery to insult. Douglas would hear only of Douglas — such was his position; and so long as he was still eligible, that is, at least until the 6th of November, it was certain that no argument and no appeal to his patriotism could force him from it. The demoralizing effects that must follow the going of the election to the house of representatives could, considering his character, trouble him but little. The most disagreeable thing to him, in this possibility, was doubtless that it opened the best prospects for Lane, since, as Schurz said, he "hated" Lane.

Inviolable fidelity to conviction was the imposing formula of his absolute refusal to make out of the Douglas campaign an anti-Lincoln campaign, in the form of a Douglas campaign. In some states, especially in New York and New

Jersey, energetic efforts were made to bring about a "fusion," partly of the two democratic parties and partly of the three anti-republican parties. They wanted to put up combined lists of electors, with the mutual understanding that the electors would cast their votes for the one candidate or the other, according to the result of the election in the rest of the Union. If it was at all possible to gain an absolute majority of the electoral votes for one of the non-republican candidates, it could be done only in this way. Notwithstanding this, however, it was with the greatest difficulty that the Breckenridge men could be won over to the proposition. How greatly he was disliked by the southern radicals was evident from the fact that, even in the states in which the votes cast for Breckenridge could be looked upon only as facilitating Lincoln's victory by weakening Douglas, they favored, in every way, the putting up of a Breckenridge list of electors. It is easy to understand why this was afterwards looked upon as a proof that they desired Lincoln's election, in order to have a pretext for secession. But such an inference is certainly not an absolutely necessary one. The only thing that follows indisputably from that fact is that they wanted to hurt Douglas as much as possible, although by so doing they made Lincoln's election more probable. But Douglas could not reproach them very severely for this, since he repaid them in the same coin. While he expressed himself most emphatically in favor of the fusion tactics, considered in themselves, he unconditionally condemned every agreement with the Breckenridge men, because salvation could be found only in the principle of non-intervention, while, on the other hand, intervention was certain ruin, no matter whether it was resorted to in favor of, or against, slavery; that is, he even now did not depart a hair's breadth from the declaration he had made during the session of the Baltimore convention, in his

well known letter.[1] Notwithstanding this, he would, of course, not have protested if a fusion with the Breckenridge men would have brought him a few electoral votes, which he might not have received without it. But, if his adherents desired, by their action, to give expression to the conviction that they considered Breckenridge's election a lesser evil than Lincoln's, they would have to do it without his sanction. To the frequently repeated declaration of the radical slavocracy, that his popular sovereignty principle was more ruinous to the south than the republican doctrine, he gave the emphatic answer: just as little with you against the republicans, as with the republicans against you.

One would do Douglas injustice if one were to seek the reason of this solely in his personal grudge. Only because he had recognized that the gap between the radical slavocracy and a great, if not the greatest, part of the northern Douglas democracy was harder to bridge over than that between the latter and the republicans, did he place before his followers in Charleston the alternative of either giving up his candidacy or of refusing, no matter at what risk, the demand that they should go beyond the Cincinnati platform,[2] and for the same reason he had, for his own part, to maintain this view all the more unconditionally, as, after his nomination in Baltimore, the slavocracy was furnished by the Wickliffe resolution with another plank which might have served it as a foot-bridge for a reunion for the purposes of the electoral campaign.

[1] "I think," he said, in Erie, Pennsylvania, "that every man who believes that slavery ought to be banished from the halls of congress, and remanded to the people of the territories, subject to the constitution, ought to fuse and act together: but that no democrat can, without dishonor, and forfeiture of self-respect and principle, fuse with anybody who is in favor of intervention, either for slavery or against slavery." The New York *Tribune*, October 8, 1860.

[2] See his letter of the 23d of June, 1859, to J. B. Dorr, in the New York *Tribune*, June 24, 1859.

Jefferson Davis relates[1] that an effort had been made to induce the three non-republican candidates to withdraw in favor of a new candidate on whom "the divided forces of the friends of the constitution" might be united. Breckenridge and Bell had authorized him to announce their readiness to do so, if the project could be carried out; Douglas, on the contrary, rejected the proposal. Davis does not say expressly that the latter was, therefore, responsible for the failure of the scheme. But as it was not at all Davis's way to keep his judgment to himself and let the facts speak for themselves, one cannot avoid supposing that he desired the reader to draw that conclusion; but did not draw it himself, because he knew too well how little it was in accord with the facts. Was it necessary only to get rid of the three candidates in order to melt the three parties into one? If the possibility of reconciling them was to be found in the fact that they were all "friends of the constitution," then what Davis was in search of was already had. Bell's southern adherents proved from his political past that he had been, at all times, a valiant champion of slavery, and his northern friends, that he had never given cause for just complaint, but that the platform of his party consisted only of the one word "constitution," and had therefore room on it not only for the Douglas men and the Breckenridge men, but also for the partisans of every conceivable interpretation of the constitution. Why, then, was this not enough? Simply because each party wanted a candidate who was a "friend of the constitution" as it understood the phrase. The candidate by means of whom Davis's plan could be realized would have to be, at one and the same time, a Breckenridge-democrat, a Douglas-democrat, and neither a Breckenridge nor a Douglas democrat, but simply a constitution man. So long as no man could

[1] Rise and Fall of the Confederate Government, p. 52.

be found who presented such a political trinity in his own person, it was not of the least use for the three candidates to make the sacrifice expected of them: not the candidates but the convictions of the parties had to be put aside. But this could not be done by any agreement of the politicians. More yet: the attempt to do it would necessarily, in great part, have led to results the very opposite of those intended. It was on this consideration that Douglas based his rejection of Davis's offer. If he left the field, he said, the greater part of his friends would support not the new candidate, no matter who was chosen for that honor, but Lincoln.

How well founded was this opinion is apparent from the fact that the press and the speakers of the party in the northern states chose, as the polar point of their agitation in the electoral campaign, the claim that Douglas, through all the years, had been the most determined and successful leader in the fight for freedom. To him and to his popular sovereignty principle it was due that the onslaughts of the slavocracy against Kansas had been brought to naught; and his course on the question of the Lecompton constitution was adduced as unimpeachable evidence that the favor or anger of the slavocracy had with him not a feather's weight in the scales, when they sought to bend the law, or by force or fraud to deprive freedom of its due.

Douglas had by his action relieved the republicans of the trouble of refuting this claim by again going into the history of the Kansas-Nebraska bill and of the trouble that grew out of that law. The territory had again occupied the attention of congress. On the 11th of April the house of representatives had, by a vote of one hundred and thirty-four against seventy-three, resolved to admit it into the Union as a state under the Wyandotte constitution. In the committee on territories, in the senate, the decision lay with Douglas, as the remaining votes were equally divided. But

Douglas remained away from the meetings of the committee, and said neither yea nor nay. How this could be reconciled with the meaning his partisans put on his course in the Lecompton question it is difficult to say, while it can be reconciled without difficulty with the assertion of the republicans that he had declared war against the slavocracy and Buchanan, because of Lecompton; since otherwise there would have been no possibility of his election to the senate. He was now competing for the highest prize — the presidency,— in the awarding of which the slave states had no small influence; and as he could not say both yea and nay, silence seemed to him the least of the evils between which he had to choose. Naturally no documentary proof of this can be adduced, but its probability, based on the whole character and past of the man, becomes a certainty when we consider the fact that he continued his shameless wooing of the south as long as he had a gleam of hope that he could achieve anything by it.

On the 16th of January he had moved, in the senate, to have the committee on judiciary introduce a bill "for the protection of each state and territory of the Union against invasion by the authorities or inhabitants of any other state or territory, and for the suppression and punishment of conspiracies or combinations in any state or territory with intent to invade, assail or molest the government, inhabitants, property or institutions of any other state or territory of the Union."[1] On the 23d of January he defended this motion in a lengthy speech, in which he surpassed all his previous achievements, so far as audacious demagogy and low coaxing of the slavocracy was concerned: in the annals of congress there is scarcely anything to match it. For his text he had selected the well-known letter which Governor Wise had addressed to the president

[1] Congr. Globe, 1st Sess., 36th Congr., p. 448.

after the riot at Harper's Ferry, and Buchanan's answer to it. Buchanan's unassailable proposition that the laws had not granted him, the president, the right to do what Wise expected of him, Douglas took to mean that the constitution had not empowered the federal authorities to protect the states, in accordance with Wise's demand, from such attacks. With a great expenditure of doubtful logic and empty patriotic pathos, he demolished this man of straw, in order, by proving that the federal government had such power, to demonstrate that it was its sacred duty to make use of it without delay and with all its energy. It was its sacred duty to make use of it thus because repetitions of the doings at Harper's Ferry were to be feared, since the real causes of them continued to exist and to operate. "Without stopping to adduce evidence in detail, I have no hesitation in expressing my firm and deliberate conviction that the Harper's Ferry crime was the rational, logical, inevitable result of the doctrines and teachings of the republican party, as explained and enforced in their platform, their partisan press, their pamphlets and books, and especially in the teachings of their leaders in and out of congress."[1] If that were the case, then the slave states would evidently have received, in a fitting measure, the protection to which, according to Douglas, they had an indisputable, constitutional claim, and the refusal of which would justify their withdrawal from the Union,[2] only provided the bill asked for from the judiciary committee was a penal law

[1] Congr. Globe, 1st Sess., 36th Congr., p. 553.

[2] Ib., p. 554: "Sir, it requires more patience than freemen ever should cultivate to submit to constant annoyance, irritation and apprehension. If we expect to preserve this Union, we must remedy, within the Union and in obedience to the constitution, every evil for which disunion would furnish a remedy. If the federal government fails to act, either from choice or from an apprehension of the want of power, it cannot be expected that the states will be content to remain unprotected."

against the profession or propagation of republican doctrines by word or writing. If Douglas did not intend this, what was the meaning of the further sentences: "Give us such a law as the constitution contemplates and authorizes, and I will show the senator from New York that there is a constitutional mode of *repressing* the irrepressible conflict. I will open the prison doors to allow conspirators against the peace of the republic and the domestic tranquillity of our states to select their cells wherein to drag out a miserable life, as a punishment for their crimes against the peace of society?"

That is what the most courageous and the most successful knight of freedom had the face, some months before, to tell the country, from his place in the senate. Was it then still possible for him, in a glow of conviction and enthusiasm, to plunge into the dust and mud, under the feet of the slavocracy? And he did it unprovoked, without any concrete inducement; nay, in gross violation of the usages of the senate. The judiciary committee was not, according to custom, to be charged to examine the question whether any, and what kind of, legislative act was required to avert the alleged evils, but, contrary to custom, the senate, without even having itself submitted the question to an actual examination, was commanded to draft and propose a law which, judging from the reasons assigned for the resolution, must tower in enormity high above the sedition law of accursed memory. And to this end the senate had appointed an extraordinary committee to make an exhaustive inquiry into all the questions raised by the riot at Harper's Ferry. Did Douglas believe that the rights and interests of the south were not safe enough in the hands of this committee in which the slave-holders, with a trusty friend from the north, had a majority, or did he think that there was so much danger in delay that the

report of this committee should not be waited for? These questions were, of course, asked. To answer them in the affirmative would have been simply ridiculous. But there was only one other conceivable reason for his course. In three months the democratic national convention was to meet in Charleston, and the occasion was too tempting to an endeavor to make amends for his Lecompton and Popular Sovereignty sins in the eyes of the slavocracy.

He did not need to wait the three months in order to learn, with certainty, whether his propitiatory sacrifice would be graciously accepted as sufficient. Jefferson Davis immediately flung it back at him as an odious desecration of the altar of slavery. To protect us, he said, the senator destroys the foundation of all our rights, the sovereignty of the states; such a bargain we shall not make. Douglas was not rewarded with even an empty compliment for erecting to himself a monument of infamy, compared with which the Kansas-Nebraska bill scarcely deserves to be mentioned.

That the resolution of the 16th and the speech of the 23d of January had not injured Douglas in the slightest degree with the democratic politicians of the north was a frightfully eloquent proof of the demoralizing effects of the slavery question. On the other hand, the fact that the press and the campaign orators of the party, spite of resolution and speech, recommended Douglas as the most deserving battler for freedom, was a symptom to be greeted with joy. It was, of course, greatly to be lamented that so bold an untruth could be defended with such success; but that so bold an untruth had to be resorted to to keep the masses from marching off into the enemy's camp threw a flood of light on the fact that the poisoning of the thought and feeling of the masses could go no further. The hypocrisy and dishonesty of the leaders furnished a measure of the moral reaction that must have set in among a

large portion of their followers. But Douglas had allowed himself to be misled by his rage over what had been done in Charleston into another act of imprudence, by which he imputed still greater hypocrisy and dishonesty to those leaders. Even before he was nominated in Baltimore he had himself most brilliantly refuted what they had now to say of his services in the cause of freedom, in order to make their old and trusted followers stand by his flag. In a speech of the 16th of May he had in a tone of the greatest indignation upbraided the slavocracy for their shameful ingratitude. They had asked only for the continuation of the Missouri line and were not able to get it; but he had obtained for them, by his doctrine of non-intervention, much more than they had demanded. To that doctrine alone did they owe it that New Mexico had introduced and protected slavery. Where, outside of New Mexico and Arizona, had an inch of free territory been changed into slave territory since the days of the Revolution? Non-intervention and popular sovereignty alone had brought it to pass that a degree and a half of latitude north of the Missouri line, hitherto free territory, and five times as large as the state of New York, had fallen to their share. "Are you not satisfied with these practical results?" And if popular sovereignty has won for slavery New Mexico, surrounded on nearly every side by free territory, with its comparatively raw climate, how can a doubt be possible that sub-tropical, northern Mexico will also belong to it as soon as it is acquired?[1]

The most insignificant republican town politician, if he only knew how to read, had now an annihilating answer to the claim that Douglas had never allowed the standard of freedom to be lowered, and that his popular sovereignty doctrine had proved the most effectual protection against

[1] Congr. Globe, 1st Sess., 36th Congr., App., p. 314.

the greed of the slavocracy. In the speeches of the 23d of January and the 16th of May, he had condemned himself out of his own mouth in such a way that now, and for all future time, every further word was superfluous. Only he who was resolved not to hear because he wanted to deceive himself or others could still have faith in him and in his "great principle."

In one direction, therefore, the task of the republicans in the electoral campaign was an exceedingly easy and grateful one. Where men were amenable to reason, they could prove that, with the programme of the other three parties, a further descent on the declivitous path on which the country had been forced by the slavery question could not be prevented, and that a further descent on it would make the republic a land of liberty in accordance with the saying: *lucus a non lucendo.* There would not now have been the slightest doubt that they would be victorious in all the free states, and by overwhelming majorities, if, after the most irrefutable demonstration of their principle, they had not still to meet the one argument, that the consequence of their victory would be the disruption of the Union.

Their platform was not, as we have seen, silent respecting the question, on the answering of which it actually depended whether Lincoln would be chosen. The threat of secession had been branded by it "as an avowal of contemplated treason," and it was most emphatically and tersely declared that "the union of the states must and shall be preserved." This afforded no security against an attempt at secession: it was only a vow to oppose it by every possible means. He who feared secession could, therefore, not be pacified by the platform. It simply amplified the question into this: whether Lincoln should be elected at the risk of breaking up the Union and bringing all the horrors of civil war on the country. The claim that

their firm declaration would dissipate the desire of the southern radicals to go beyond a dangerous playing with fire, could, however, strengthen the courage of those only who did not believe in the seriousness of the threats. Where people were convinced of this, merely a few words spoken by Fessenden in reply to Douglas's speech of the 23d of January, could master fear. If, he said, I could allow myself to be deterred by such threats from exercising my constitutional right according to my convictions, I should deserve heavier chains than the negro ever bore, and the word slave should be branded on my brow.[1] This was an appeal to the man and the citizen, without any regard to his political opinions, and the number of hearts and heads in which it was not able to awaken some echo was by no means as great as the superficial observer must have believed. Fear had not yet assumed, anywhere, the character of a panic, and hence, wherever the faculty of political thought existed, people had not completely failed to see that it would be left entirely to the pleasure of the slave states to decide how far the constitution should still be the living, fundamental law of the Union, and how far a piece of dead paper, if the perpetuation of the Union were to be purchased by submission to the claim that these states must decide what political party should be considered capable of governing. And the self-conscious manfulness which, in all extra-political affairs of the republic, finds so nutritive a soil, could not possibly belie itself so completely in political life that threats could only frighten and not likewise stimulate. If anything was made clear beyond a doubt by the history of recent years, it was that their effects in the former respect had become weaker, and in the latter, stronger. And the history of the war proved, in an equally indisputable manner, that, among the entire northern population, the spirit of

[1] Congr. Globe, 1st Sess., 36th Congr., p. 258.

self-conscious manfulness was alive in a really vast measure. But it is one thing to meet a terrible fact with iron resolution and unbending energy, and another to allow a danger which one is convinced might be averted by the omission of an act, rightful in itself, to grow into a terrible fact, by the performance of that act. That thousands and tens of thousands who voted for Lincoln would not have done so if they had foreseen the direct consequences of his election is certain, if for no other reason, because people were still very far from fully understanding what the continuation of slavocratic supremacy meant to the future of the country. The number of those who did not want to see Douglas or Bell elected, but who might be easily convinced that, after all, these latter would only allow the *status quo* to continue, was still quite large, and it could not seem doubtful to them how not only patriotism but common sense would decide if the choice lay between the *status quo* and the disruption of the Union. All reason and all the acts of persuasion were powerless against the simple argument: people do not rush out of the rain into the raging sea.

One must bear this in mind if one does not wish to do injustice to the republican press and the republican speakers. It was in part well-considered tactics forced on them by circumstances, in the first place, to declare, as they did, fears of secession entirely groundless; in the second, to try to prove that the Fire-eaters would only make themselves ridiculous by an attempt at secession; and only at last to speak of the necessity of standing the fiery ordeal of a revolution in order to secure to the Union the character of a constitutional state, not in form alone but in reality. And by these tactics they wanted not only to prevent desertions and to make new acquisitions more easily, but they believed that by their means they would also be able most surely to avert the threatened danger. Not only, reasoned they, will

all the more food be afforded to the pretensions of the south, but the radicals will all the more easily resolve upon an attempt at secession, the more ado there is made about threats of secession: while, on the other hand, the masses of the population of the southern states will follow the Fire-eaters all the less, the less the north allows itself to be terrified. The only thing they overlooked here was that such an effect, if it could be produced at all, presupposed a certain amount of unanimity in the north, and if this was not obtained, the Fire-eaters would not be intimidated but rather strengthened in the conviction that secession, despite its announcement a thousand times, and the preparation for it during so many years, would have all the thoroughgoing success of a surprise, because contrary to all expectation, and therefore, unprepared, the north would stand confronted by an accomplished fact. The calculation of the republican leaders was destined to turn out wrong, because it was certain that the political phase of the secession question was even now viewed only by a small majority in the way they looked upon it, and that, even with respect to its constitutional phase, a considerable minority entertained views which left the way entirely open for secession.

The principal reason why the republican politicians fell into this error of calculation was because their treatment of the question of secession was based only in part on considerations of expediency, and was a bit of tactics adopted with deliberation. They had adopted these tactics, because they believed what they said, and only because they believed it themselves did they find believers. Not what they said, but the manner in which they said it, was influenced by the fact that they looked upon it as good tactics to dissipate the fears they held to be groundless. By always laying on the colors more thickly, and constructing their sentences more pointedly, and in more absolute terms, than they would

have done if they had not been of this opinion, they were naturally strengthened in their conviction, so that the language of evolving facts became unintelligible to them in proportion as these facts more strongly contradicted their reasoning. To the very last, they deceived the people only because, and to the extent, they had deceived themselves. Hence the party did not withdraw their confidence from them, although they proved themselves false prophets. And although, as has already been pointed out, a great part of the responsibility for the fact that it was possible for the rebellion to ripen wholly unhindered into civil war, falls, on this account, on their shoulders, it was fortunate that they saw no clearer. Civil war could have been prevented only by paying for it with the future of the republic and submission to the slavocracy. And the price would have been paid, if it had been perceived that Lincoln's election must have secession as a consequence, and that secession meant civil war. The intellectual and moral elasticity not only of the masses, but of the leaders themselves, would have melted like glass under the flame of the blow-pipe, if they had considered it possible that the victory of the republicans would have cost the people one-hundredth part of the treasure, tears and blood which had to flow for the restoration of the Union. Neither the leaders nor the masses *were* able to bear the frightful burden of the civil war; they *became* able to bear it, and they were able to become so, only because they had underestimated its weight so enormously. They would never have assumed the burden if they had not done this; and only while carrying it, and by carrying it, could the mighty force which it required be developed. The republican leaders, therefore, now really rendered, by the short-sightedness of some of them and the blindness of others, as inestimable a service to the country as they afterwards did by their iron energy

and unbending tenacity; for, thanks to that short-sightedness and blindness, the slavocracy was compelled, by its rebellion, to force the north either to let the Union go, or, by the destruction of slavery, to set the restored Union, the controlling power of the new world, with its full weight for all future time as a formative factor into the progressive, material, intellectual and moral life of the civilized world, which was becoming more and more consolidated as the century advanced.

Justice requires that from among the superabundant proofs of this want of judgment of the republican leaders, fruitful as it was of consequences, a few should be selected, because it unquestionably diminishes, in a certain sense, the guilt of the other parties. If I quote the worst of the most prominent, I do so only because their voices reached farthest, and not to cast a shadow on their historical, posthumous fame, for they all, without exception, made the same mistake.

Weed had written from Washington to the *Evening Journal*, on the 13th of December, 1859: "I know nothing that resembles so much the cry of dissolving the Union as the prophecy of the Millerites who waited for the end of the world. . . . The whole question is in a nutshell. Dissolving the Union is a game for the presidency. It is nothing but a game. That it will be played desperately we admit, because southern sportsmen play desperately."

The leading articles of the New York *Tribune*, and of the *Independent*, were written in this same tone throughout the entire summer, but went a good way farther, in so far as they were silent on the statement in the last sentence or even scornfully questioned it. The former paper declared, on the 11th of July: "The threat of a dissolution of the Union, in the event of the election of a republican to the presidency, is as audacious a humbug as Mormon-

ism, as preposterous a delusion as Millerism. Southern braggarts threatened it. Northern demagogues echoed it. A few simpletons feared it." Some days earlier the Washington correspondent of the latter had written that the shrewdest slavocrats no longer talked among themselves of secession, but entertained one another on the ruin of the republican party, which the fight for the spoils would bring about.[1] A week later Greeley drew, in the same paper, a comparison between the present situation and that of four years previous, and came to the conclusion that the waters that then raged wildly were now smooth as a mirror.[2] He who was not able to see the facts in this light might find another consolation in the *Tribune*. It wrote on the 28th of July: "This threat of dissolution would be ridiculous enough if all the great slave states should be harmoniously united in crime. But the south could no more unite upon a scheme of secession than a company of lunatics could conspire to break out of bedlam."

[1] The Washington correspondent of the *Independent* writes, on the 2d of July: "The danger of republicanism is not that the slave states will resist its advances by the sword, or by secession; and to-day the shrewdest men among the southern upholders of slavery do not talk of disunion, among themselves, but whisper of ruin to the young republican party from causes within, and not without, that organization." The *Independent*, July 5, 1860.

[2] "Four years ago the republicans were insolently told that even the election of their national candidates would amount to nothing, since they would not be permitted to assume the stations thus assigned them! Democratic canvassers and writers boldly proclaimed that their inauguration at the federal city would not be suffered — that it would be prevented by force of arms if necessary. Governor Wise, of Virginia, invoked a private conference of southern governors at Raleigh, at which this treason was deliberately sanctioned and resolved on. . . . Thus was it in 1856; but in 1860 the moral certainty of a republican triumph evokes no menace and excites no alarm; . . . the feeblest nerves are unshaken, the weakest head unturned, by apprehension of consequent convulsion; . . . stocks perversely refuse to fall; federal sixes com-

When the electoral campaign was at its height, Seward, too, lent the great weight of his name to this view. He had always endeavored to select his phrases, and he now chose less forcible forms of expression, but without in any way limiting or defining his opinion by modifying clauses. He declared very plainly and absolutely that all fear was groundless. In a speech at Detroit, on the 4th of September, he called the people extravagant who thought the country was on the high road to civil war or dissolution.[1] He struck a still higher key on the 18th of September in St. Paul. The thunder of the threats of secession had faded into a murmur; no one was afraid, and no one could be bought. If that could have been said of the population of the northern states during the last forty years, the revolution in which the country was now engaged would have long since come, for fear and venality had always been pillars on which the supremacy of slavery over the Union had rested.[2]

mand a large premium; money is abundant; interest rules low." The *Independent*, July 12, 1860.

[1] After he had shown that, in all parties and in all sections of the country, dissatisfaction reigned, he continued: "I do not intend to be understood that these evils are thus far productive of material suffering or intolerable embarrassment, much less that the country is, as so many extravagant persons say, on the high road to civil war or dissolution. On the contrary, this fair land we live in is so blessed with all the elements of human comfort and happiness, and its citizens are at once so loyal and wise, and so well surrounded by yet unbroken guaranties of civil and religious liberty, that our experience of misrule at the very worst never becomes so painful as to raise the question, how much more of public misery we can endure; but it leaves us at liberty to stop now, as always heretofore, with the inquiry, how much more of freedom, prosperity and honor we can secure by the practice of greater wisdom and higher virtue? Discontentment is the wholesome fruit of a discovery of maladministration, and conviction of public error is here at least always a sure harbinger of political reform." Works, IV, pp. 304, 305.

[2] "For the first time in the history of the republic, the slave power

The state elections which took place a few weeks before the electoral campaign might make the first allegation regarding fear and venality appear as well founded as the second unquestionably was. Pennsylvania and Indiana belonged to the so-called October states. We have seen how much depended upon them. The republicans won in both by respectable majorities. Lincoln's election might, therefore, be considered almost certain, unless, at the last moment, a revolution of feeling took place. And how could such a revolution be so well guarded against as by the same tactics which had already been followed by such brilliant results? On the 13th of October, the New York *Tribune* declared that the radical slavocracy would not only forfeit all sympathy in the north, if it did not desist from its threats of rebellion, but would be overwhelmed in the south itself by the conservatives.[1]

has not even the ability to terrify or alarm the freeman so as to make him submit, or even to compromise. It rails now with a feeble voice, instead of thundering as it did in our ears for twenty or thirty years past. With a feeble and muttering voice they cry out that they will tear the Union to pieces. They complain that if we will not surrender our principles, and our system, and our right, being a majority, to rule, and if we will not accept their system and such rulers as they will give us, they will go out of the Union. 'Who's afraid?'* Nobody's afraid. Nobody can be bought. Now, fellow-citizens, let me ask you, since you are so prompt at answering, suppose at any time within the last forty years we could have found the American people in the free states everywhere just as they are in the free states now, in such a frame of mind that there was no party that could be bought, nobody that could be scared — how much sooner do you think this revolution would have come in which we are now engaged? I do not believe there has been one day from 1787 until now when slavery had any power in the government, except what it derived from buying up men of weak virtue, little principle and great cupidity, and terrifying men of weak nerves in the free states." Ib., pp. 344, 345.

[1] "If the chivalry persists in menaces of rebellion, in case the election shall go against them, they will speedily be divorced from all sympathy

* Here hundreds of voices responded, "Nobody!"

Five days later Greeley made merry, in the *Independent*, over the fools who had thought they could conjure a storm from a cloudless sky. He considered the quotations of the Stock Exchange proof that their smoke did not come from a fire. The crisis of the great peaceful revolution was passed, and not even the water of a brooklet had been troubled.[1]

The suspicion that the Stock Exchange had acted in this way for tactical reasons could not be entertained. There can be no doubt that it would have operated, not for, but against, the republicans, if it had wanted to influence the election, for the supreme commandment in the political catechism of the great business world was still: tranquillity is the first duty of a citizen. It therefore unquestionably shared the view advocated by the republicans that Lincoln's election would not lead to a catastrophe, and it evidently was confident of this, because it considered the allegation in the *Tribune* of October 13th well founded. Where sympathy for the republican party had found a greater or lesser counterpoise only in a patriotic anxiety for the preservation of the Union, people were naturally very much inclined to look upon the Stock Exchange as a

in the north, and utterly overwhelmed by the undemonstrative but resolute conservatism of the south. The Union will in no case be shattered. It will not even be seriously shaken."

[1] "But what, then, must become of the Union?

"Nothing.

"The Union, though a little wakeful, with the ardent politicians, throughout Tuesday night, never slept sounder nor more refreshingly than it did the night following. Stocks were buoyant and advancing throughout Wednesday and Thursday; even those of the slave states advanced and were held firmly. Never was the country calmer in the immediate presence of great events; never was it more cheerful in full view of gravely apprehended calamities. . . . So passed the crisis of the great peaceful revolution of 1860." The *Independent*, October 18, 1860.

barometer that could not deceive in this matter. The feeling of security seemed to grow all the greater the nearer the day of the decision approached. The Washington correspondent of the *Independent* must have counted on the assent of all republicans when it declared, on the 22d of October, that the renewal of the secession cry was only a last effort to influence the election in the state of New York.[1] Those, too, who did not, like Greeley, think more with their hearts than with their heads, perceived more clearly the more they reflected on it, that even the southwest itself would put a stop to the work of its secessionists,[2] because it would not be willing to have its mails

[1] "The disunion cry is, I think, nearly ended. There is a fresh shriek, however, just now, for effect in the state of New York in the November election." Ib., October 25, 1860.

[2] This was also Seward's opinion. In the speech of the 29th of February, which made Garrison describe him as "the incarnation of political circumspection," and who was in fact cautious and calculating even to freezing, he had defended this view with an emphasis in which a trace of the warmth of profound conviction might be discovered. . "Although a party may have never so much of prestige, and never such traditional merit, yet, if it be lacking in the one virtue of loyalty to the Union, all its advantages will be unavailing; and then, obnoxious, as through long-cherished and obstinate prejudices, the republican party is in the capital states, yet even there it will advance like an army with banners, winning the favor of the whole people, and it will be armed with the national confidence and support when it shall be found the only party that defends and maintains the integrity of the Union. . . . I remain now in the opinion I have uniformly expressed here and elsewhere, that these hasty threats of disunion are so unnatural that they will find no hand to execute them. . . . No, go where you will, and to what class you may, with commissions for your fatal service in one hand and your bounty counted by the hundred or the thousand pieces of silver in the other, a thousand resisters will rise up for every recruit you can engage." "On the shores of the Gulf of Mexico" and on "the cotton and sugar plantations on the Mississippi," the secessionists would be asked whether they were more just, wiser and more humane than the fathers of the republic, and whether they could do better than

stopped and its coasts blockaded to gratify the ambition of a few self-seeking counterfeiters of pro-slavery fanaticism.[1]

The Stock Exchange became nervous at last, so much so, indeed, that the New York *Tribune* spoke of a "panic in stocks." And it frankly admitted that the cause of the "panic" was to be sought for in the threats of secession.[2] The alarmists naturally endeavored to make capital for themselves out of this. But it was easy not only to parry the blow, but to deal a heavy counter-blow. A list drawn up by the New York *Herald* showed, indeed, an average decline of the quotations of eight per cent., as compared with November, 1858. But, in this list, only the stocks of southern states were mentioned. Federal stocks and the stocks of the northern states had remained as firm as ever. The federal government had even just issued a loan of $10,000,000 at five per cent., and it had been taken up on the 22d of October, in large part by the savings banks, with a premium of about one-half per cent.[3] Was not the conclusion which the New York *Tribune* (November 6) drew from these Stock Exchange conditions, therefore, warranted, viz.: "the more noise the south makes, the more she will injure her

they had done. "And by these simple interrogatories you will be silenced and confounded." Congr. Globe, 1st Sess., 36th Congr., p. 914.

[1] "There will be no call for Mr. Lincoln to put down rebellion and nullification in the southwest; the people of the cotton states will do that whenever the opportunity is offered them. They are not going to have their mails stopped and their coast blockaded to gratify the mad ambition of a few self-seeking counterfeiters of pro-slavery fanaticism."

[2] "Created by the disunion furore north and south."

[3] This made all the greater impression, as the secretary of the treasury, Howell Cobb, was charged with having, by a demonstrative advertisement of his secessionist inclinations, on a journey in the north, industriously endeavored to make the loan a failure, in order to produce a panic. He had before declared that offers below par would not be considered.

own credit, and that is all she can do?" It is easy to understand how this conclusion was looked upon as all the more unassailable, since information was received from the market of southern states also which, at first sight, could have only the one meaning, that, in the business world there, likewise, this view had asserted itself, and it was believed that the height of the crisis was passed during the October elections. Thus, for instance, the New Orleans *Picayune* of October 20th, reported that, with the coming of cooler weather, the cotton trade had grown more active; that the price had risen one and one-half per cent. above the lowest quotation, and that money was again easy. The paper also remarked that there was no further pressure of political questions on the market to be feared, as the worst was over.[1]

What was meant by this was not at all certain. Those who were confident that the slavocracy would grow calm, after Lincoln's constitutional election had become a fact, saw in it, of course, an express confirmation of their opinion. And when a paper like the New Orleans *Picayune* expressly confirmed it, why might not the New York *Tribune* (October 22) claim that the police would suffice to suppress an attempt at rebellion at the seat of government, and that a revenue cutter in the Charleston harbor would make blue rosettes[2] in South Carolina as rare as blue roses? Even Chase, who, like Seward, had the reputation of a statesman at stake, and thought coolly and clearly enough not to make his wishes the main starting point for the formation of his judgment, declared on the 1st of November, in Covington, Kentucky, that he could see no reason for the fear

[1] "The apprehensions engendered by the political condition of affairs have in a measure calmed down, and the inference is that as the most adverse issue has been already anticipated, nothing is likely to transpire that can place the market in a more disadvantageous position."

[2] The sign worn by the minute-men in their hats.

that there would be any uprising against the legal will of the people, and considered the deep excitement as, on the whole, healthful.[1]

Immediately before the decision, the republicans made another skilful move on the chess board, in order to turn to account, in their own interest, the uneasiness of the Stock Exchange which the democrats and unionists were fostering. As Pennsylvania and Indiana might be looked upon as safe for Lincoln, New York occupied more than ever the first place in the eyes of public interest. If the victory could yet be snatched from the republicans, it could be done only here, and if it were not considered probable that the attempt would be successful, it was believed to be possible. And it was all the more worth while to make a great effort, because New York was the nerve-center of the economic life of the Union, and any great disturbance of its activity made itself very keenly felt at the most remote points of the country. What could be accomplished by means of an appeal to the pocket could be most easily and surely done from New York as a center; and the appeal to the pocket had by no means ceased to be one of the weightiest arguments. But things were now in such a state that the republicans might get possession of some of the fruits which their opponents had shaken

1 "We are approaching the close of another presidential election. The public mind has been deeply excited by the discussions necessarily incident to such a transaction. . . . . Thus far, however, the excitement has been, on the whole, reasonable and healthful. And I see no reason to doubt that the decision of the people, whatever it may be, on the question in debate, and between the respected citizens, who, as candidates for the presidency, represent the principles respectively maintained by the several parties of the country, will be received with that patriotic deference to the will of the majority which distinguishes Americans from every other nation." The Cincinnati *Commercial*, November 2, 1860.

from the tree of fear, and it was even a question which side would get the larger share. A number of prominent business men called a mass meeting to be held on the 5th of November, before the Stock Exchange, and both the invitation and the speeches laid the greatest stress on the immense depression of trade during the past weeks. He who did not wish that this condition should last four months longer must vote for Lincoln, since, if he is not chosen, the election will go to the house of representatives, and all the sordid powers which have been so active here during the last two weeks, and with such success, will have full play in Washington, where they will be removed from the direct control of the people, and that means "death and destruction to all the commercial interests of this city and to those of the country, inasmuch as they bear relations to the city."[1] Such was the simple argument, and it was irrefutable, for, after the October elections, a doubt was no longer possible that the only alternative lay between Lincoln's election and an election by the house of representatives. What consequences Lincoln's election would have was, of course, a very different question, and it, too, had to be answered, in order to measure the importance which should be attached to those unavoidable consequences of the resultlessness of the popular election. But the republicans had talked themselves out of all doubt that the right answer to this question was the assertion made by Chittenden at the meeting before the Stock Exchange, as the self-evident inference from his argument: The agitation, the irrepressible conflict, of which we have heard so much, will instantly cease.[2] Not only with stout hearts, but with agile feet, they took the road to the ballot-boxes, for the shadows of anxious care had become so light

[1] Chittenden's speech.

[2] The New York *Tribune*, November 6, 1860.

that, in the excitement of the great, decisive hour, which drove the blood in stronger and hotter pulsations to the head, they were scarcely perceptible to their veiled eyes.

How probable it was that this saying of Chittenden would be fulfilled was evident from an official document to the reading of which the legislature of South Carolina was listening in the capital of the state while the consoling prophecy was passing his lips before the New York Stock Exchange.

South Carolina was the only state in which the presidential electors were chosen not by the people but by the legislature. As a federal law provided that their election should take place in all the states on the Tuesday after the first Monday in November, and, according to a provision of the state constitution, the regular legislative period began only on the fourth Monday of November, Governor Gist had called the legislature to meet in extraordinary session on the 5th of November. The exercise of this constitutional right, which under ordinary circumstances would have been the only object of the session, should, in his opinion, under existing circumstances, be used as an opportunity to prepare the way for the exit of the state out of the Union. His message called upon the legislature, "in view of the strong probability of the election to the presidency of a sectional candidate," after the discharge of their immediate duty, "to remain in session and take such action as would prepare the state for any emergency that might arise." To this end he "earnestly" recommended, in case of Lincoln's election, that "a convention of the people of the state be immediately called, to consider and determine for themselves the mode and measure of redress." He believed himself that they would have no choice: South Carolina must secede. The indications warranted the expectation that many of the slave states would

immediately follow the example thus set them, if they did not take the step at the same time, and that finally the whole south would decide in favor of it. If South Carolina remained true to itself, it might now count on "the long-desired co-operation of the other slave states." "The state has with great unanimity declared that she has the right peaceably to secede, and no power on earth can rightfully prevent it." If the government of the United States should attempt force, "it will become our solemn duty to meet force by force," and, in that case, they might rely upon him. He recommended the raising of ten thousand volunteers immediately, and a thorough reorganization of the militia, so that the entire military force of the state might be called out without delay and with the greatest effect.

On the evening of the following day (November 6th) the whole country knew that "the great probability" of Lincoln's election had become a certainty, although the result in some states was not yet published. In these also (California and Oregon) the republicans had won. Of the three hundred and three electoral votes, one hundred and eighty belonged to them, although of the popular vote they had only a relative majority. In that vote the three other candidates had, together, a majority of over nine hundred thousand votes. Douglas, who stood next to Lincoln in the popular vote, and who had received over five hundred thousand votes more than Breckenridge, occupied the last place in the electoral vote, having only twelve votes, while the latter had seventy-two, and Bell thirty-nine electoral votes, although not half as many votes had been cast for him.

Under any circumstances this proof of how strangely the indirect elective system by states may overturn the supremacy of the people, according to the principle of the

rule of the majority, would have a theoretical interest. It could claim more now. A "great revolution" — for as such the republicans had repeatedly characterized Lincoln's election — had been accomplished in the democratic republic against a strong majority. The severest crisis imaginable had broken over the country, and the legal and actual will of the people were no longer coincident.

That this was a fact of great political importance should, therefore, have been recognized by all, much as it might be debated what its consequences would be. The republicans, however, gave little thought to it at the moment, because they had never considered it possible to obtain an absolute majority of the popular vote. All they saw was the electoral vote, and that surpassed their expectations, for Breckenridge and Bell had gone away entirely empty-handed in the free states, and Douglas had won in them only three out of the seven votes of New Jersey. They were therefore not merely glad of their victory, but filled with jubilation at a mighty triumph.

But joy prevailed also at their political antipodes. In Charleston, the scenes which had followed the breaking up of the democratic national convention were repeated. The population crowded into the streets filled with intense festal feeling; deafening hurrahs greeted the announcements of the telegraph; congratulations and hand-shakings that meant much were exchanged by men whose eyes were bright with pleasure. There was here also, perhaps, many a heart upon which anxiety or at least doubt weighed heavily. But all that was seen were faces expressive of only the one thought and the feeling: Reached the goal at last! Such was the physiognomy which public opinion imperatively demanded, and in no democracy of modern times has the rule of public opinion been so tyrannically exercised, and rebellion against it been so seldom ventured,

as in the slavocratic democracy of the United States. No one had the courage immediately to attempt to raise a dam against the flood, and before the sun had set it had become impossible to do so. Even in South Carolina, only a small minority really knew what they were doing, but the intellectual leaders belonged almost exclusively to that minority, and they did not allow the masses who followed them blindly a single hour calmly to bethink themselves. They proceeded without delay from words to acts which were practically the burning of their ships behind them, because they made not only the least retreat but the least pause seem cowardly and dishonorable in the eyes of the whole population. In the legislature, motions for the calling of a convention for the purpose advocated by the governor were made, and as soon as the first motion to that effect was put, the question was no longer whether, but in what manner, it would be done. And even before a conclusion had been reached on this point, on the morning of the 7th of November, the grand jury in Charleston informed the United States district court that it had resolved to bring its proceedings to a close, because the question raised by the result of the presidential election "involved the existence of the government." Whereupon Judge Magrath answered that it had long been known what South Carolina was always resolved to do, if what had now occurred should take place. "Feeling an assurance of what will be the action of the state, I consider it my duty, without delay, to prepare to obey its wishes. That preparation is made by the resignation of the office I have held. . . . So far as I am concerned, the temple of justice raised under the constitution of the United States is now closed. If it shall never be again opened, I thank God that its doors have been closed before its altar has been desecrated with sacrifices to tyranny."

The collector of Charleston and the United States district attorney immediately followed Magrath's example. The highest federal officials, led by a judge, had therefore declared, by word and deed, that in their eyes the dissolution of the Union, so far as South Carolina was concerned, had become an accomplished fact by the victory of the republicans, and that all that now remained was to settle the formal side of the question. The courage and zeal of the representatives of the people assembled at Columbia certainly needed no further stimulation, but they were naturally spurred on all the more by this action of the men on whom was primarily incumbent the guardianship of the rights and interests of the Union. A bill was passed on the 9th by the senate, and on the 12th by the house, which called a convention to meet on the 17th of December, and provided for an election of delegates to the same on the 7th. A timid attempt to leave a back door still open and afford the state a possibility of making its final resolve depend on the cooperation of other slave states had served only to cast a still more glaring light on the fact that the overwhelming majority took entirely the same ground as Gist and Magrath. After the passage of the convention bill United States Senator Hammond resigned. His colleague, Chestnut, had not even waited for that event.

Whether the radical slavocracy intended and would have the courage to carry out their threats had ceased to be a question before the first week after the choice of electors had passed. The dissolution of the Union had begun. There was not the slightest doubt as to what the convention of South Carolina would do, and what it would do was no longer looked upon as doubtful anywhere; it had only to reduce to the form considered legal the decree which had been issued all but unanimously by the head and heart of the population. Even now the practical question was no

longer how to prevent secession, but only how to confine it within as narrow limits as possible, and before the end of the year it was wrong formally to speak of the preservation of the Union; the task awaiting the federal government was its restoration. Woe to the country when its people and government have failed to conceive how different these things are! The moment a single state had resolved on secession in a manner considered binding by its people, and had actually drawn the logical consequence of that resolve, to preserve the Union meant to undo what had been done; and the longer, more zealously, more anxiously and more self-sacrificingly people sought to find the solution of the insoluble problem, the more gigantic proportions did they allow the real problem to be solved to assume, twisting the knot into ever greater entanglement and twining their own arms more and more firmly and inextricably into it.

CHAPTER VII.

WRONG CALCULATIONS OF THE REPUBLICANS.

Notwithstanding the doings in South Carolina, the republicans interpreted the election figures to be a confirmation of their opinion that the storm would blow over. In the popular vote of the slave states, Breckenridge had received only a relative majority; the other parties together had cast about one hundred and forty thousand more votes. But was one warranted to draw consequences from the sum total as to the question of secession? The one hundred and forty thousand votes more had been cast almost entirely in the border states. Breckenridge had an absolute majority in the cotton states, Georgia and Louisiana alone excepted. On the other hand, this absolute majority was very great only in Texas. Even in Mississippi, which occupied the second place for Breckenridge, the minority greatly exceeded one-third. Besides it was unquestionable that not every vote cast for Breckenridge was a vote for secession.[1] The inference of the republicans that the secessionists, apart from South Carolina, were everywhere in the minority, was, therefore, entirely warranted.[2] But had it to be in-

[1] On the other hand, Iverson claimed: "It is a fact well known to those who understand the case, that a large portion of the friends of Mr. Bell are the most ardent leaders in, and supporters of, this movement of secession." Congr. Globe, 2d Sess., 36th Congr., p. 50.

[2] There were southern papers that expressly confirmed this. Thus, for instance, the Memphis *Enquirer* of November 13. It adds: "It would seem to be a poor cause that had to be supported by a surprise of public sentiment, and by an appeal to its generosity against its judgment." The Wilmington (N. C.) *Herald* wrote: "In fact the disunionists are greatly in the minority, and have failed to satisfy the world that they possess all the wisdom and all the spirit of the south." Cited in the

ferred from this that South Carolina was also the only state in which the plan of secession would, perhaps, be realized?

The Stock Exchange now seemed to judge so no longer. The question was no longer of a decline of quotations. The alarming news had gone abroad that the south intended to use its political grievances as a convenient pretext for repudiating its debt — a treat uttered, as the sequel showed, in bitter earnest, and which made a powerful impression, since slavery had long since led to basing the economic life of the planter states chiefly on credit for the future crops. Even the *Independent*, on the 15th of November, recommended great caution. But it could still support its claim that there was no real actual danger, by the fact that the regular investment securities had not fallen.[1] Hence it not only repeated, with calm certainty, its old saying, that the crisis of the 6th of November was at last over, and that the country had nothing to do except to refuse to be frightened, but it again declared that the fever of the south was not of the malignant type, and that some of its symptoms were to be hailed with joy, as evidence of returning health.[2] But on the 22d of November it had to admit that the

New York *Tribune* of November 12, 1860. The Vicksburg (Miss.) *Whig* of November 13th thought it might even say: "There need be no fear of Mississippi. She will vote down disunion, whenever factionists make the issue, by an overwhelming majority."

[1] "The regular investment securities have not fallen; and they would unquestionably fall if the welfare of the country were in jeopardy."

[2] "When it was announced that the people of the United States, in the legitimate way, had designated Abraham Lincoln as their next president, the crisis was over — the most critical point in the struggle between freedom and slavery, since the adoption of the federal constitution, was passed, safely, decisively, finally passed. Everybody knows this. Everybody acts upon it.

"To be sure there is a renewed panic in the stock market, and the threatened repudiation by the south of the millions that it owes to the north awakens anxiety in some business circles. . . . There will be need of more than ordinary caution in all business transactions, for the

country was in "a first-class panic." Still its opinion of the political situation did not change on that account. On the one hand, it sought consolation in the fact that the business situation was a depressed and strained one, entirely independent of political questions. An insufficient wheat crop and the "bankrupt condition of the south," produced by over-speculation in land and slaves, were, it claimed, in great part, the cause of that situation.[1] In this there was just truth enough to allow it to serve as an argument where one sought for proof of what one wished might be, and the assertion was submitted to no examination. So far as the allegation concerning the south was concerned, it could not be questioned that the economic sins it was reproached with had diminished its credit sufficiently to produce a certain inactivity of the market, so far as it depended on trade with the south. But it was not possible that this could have produced a panic, and a panic there was according to the testimony of the *Independent* itself. To understand that panic a very different fact in the economic life of the south had to be taken into consideration — the decline in the price of slaves. If only half of what the press of Virginia now said on this subject was true, the decline could not be traced back to the over-speculation above referred

present. . . . The attempt to produce a panic should be put down by refusing to be frightened. . . .

"The south is passing through a 'crisis' of inestimable consequence to the health of the body politic. Its fever, though it breaks out with spasmodic violence, is not of the malignant type. The pustules on the surface, though somewhat noisome, are indications of a purifying of the blood and a renovation of the system. . . . If merchants and politicians at the north take the attitude of non-intervention, going quietly forward with their own business and the legitimate business of the country, the people at the south will take care of the political and commercial slave-drivers who have brought them to disgrace and bankruptcy."

[1] The *Independent*, December 6, 1860.

to, which was by no means of recent date. So sudden and so great a fall of prices[1] could be accounted for only by the feeling that the people had to face a serious and uncertain future, which made the investment of capital in that form seem unsafe. The demand lessened and the supply increased, because cautious and anxious men in the border states began to compete with the slave-breeders.[2] It was indisputable that the cause of these phenomena could be found only in the political situation. But it did not follow from this that the way the *Independent* accounted for them was correct — a thing which the republicans would not at all admit. The *Independent* was not trying to deceive itself, and still less did it try to deceive its readers, as to the real causes of the panic. Only to the extent that these lay in actual circumstances did that journal trace them to the deficiency of the crop and the unhealthy growth of the plantation system. But it insisted that these causes lay only to a limited extent in actual circumstances, precisely because the main cause lay in the political disquiet; for the latter was not the natural consequence of the political situation, but was artificially produced, spite of it, by unscrupulous politicians in their impotent and scandalous attempt to avenge themselves for the defeat they had suffered at the polls.[3] And it was not the radical *Independent* alone

[1] In the middle of November the *Valley Star* said: "No. 1 negroes have already fallen more than twenty-five per cent., and second and third rate hands from thirty to fifty per cent." And the Richmond *Whig:* "Slaves have depreciated here in Richmond market — the largest slave market in the Union — some three or four hundred dollars within a very short period." 28th Annual Rep. of the Amer. Anti-Slav. Soc., p. 141.

[2] The St. Joseph (Mo.) *Democrat* wrote: "Within ten days not less than one hundred slaves have been sold in the vicinity and shipped south. Their owners are panic-struck, and are glad to sell at low prices." l. c.

[3] "This panic is designed, manufactured, by the basest means, for the

that wrote in this way. The key-note of the whole republican press was the same. All their organs — some in louder and some in softer tones, some in major and some in minor — played the same old tune for their readers day after day, and with only slight variations. Even representatives of the alarmed business world soon joined their voices in the chorus.[1] Not many ventured to hope any longer that South Carolina also would, as the Washington correspondent of the *Independent* had written to his paper on the 12th of November, at least "blow off her steam."[2] But people were still confident that the endeavors of the

basest purposes. It is the poor revenge of disappointed politicians; it is the wicked scheming of aspirants for power; it is the reckless venture of men who staked their political and commercial stock in the late election and lost." And in the financial article in the same number: "In fact there is no more just ground for a panic than for a war with France or the czar. . . . This is the secret of the panic: The slave power undertaking to do through the stock market what it failed to do through the ballot-box. Well, gentlemen, you will not succeed. . . . The truth is, the disunion party, south and north, is so small and insignificant that, if it were not for the noise which it makes, it would never be suspected of being alive."

[1] A committee of the board of currency in New York says in a report: "But secession cannot take place either peaceably or forcibly. There can be little doubt that a large majority of the people of the south, with the entire north, will oppose it. It is believed that in no state save South Carolina are the secessionists in a majority, if indeed they are there; but, if such should prove to be the case, they will be utterly powerless against the united voice of the other states and the power of the general government. The existing financial embarrassments, then, have no real cause. They are the results of fears and a distrust of the future, excited by threats which are not even fraught with real political dangers, much less with real hazards to the commercial and financial interests of this city. In other words, it is a sheer unreasoning panic, as ungrounded as the baseless fabric of a vision." The New York *Tribune*, November 23, 1860.

[2] He added: "Her senators and representatives will undoubtedly be here three weeks hence to draw their pay for the congressional recess." The *Independent*, November 15, 1860.

Palmetto state to have other states join her in a carnival of revolution would nowhere prove successful.

How deep this conviction was, was shown by the small effect produced by a piece of news which had gone the rounds of the press, some days before the article of the *Independent* against the producers of the panic. The New York *Tribune* of the 17th of November had received the following dispatch from Washington: "Much feeling has been excited in Georgia by the discovery that the governor's (Brown's) message was substantially communicated to the secessionists at Columbia as furnishing a basis for their action before being sent to the legislature of his own state. This proceeding looks like a conspiracy to precipitate revolution." Such devices of the Fire-eaters[1] confirm,

[1] Two southern witnesses may be called to testify here as to how the masses were worked. The *Southern Confederacy* (Atlanta, Ga.) wrote on the 8th of January, 1861, with reference to the elections to the convention of Georgia: "It is a notable fact, that, wherever the 'Minute Men,' as they are called, have had an organization, those counties have voted, by large majorities, for immediate secession. Those that they could not control by persuasion and coaxing they dragooned and bullied by threats, jeers and sneers. By this means thousands of good citizens were induced to vote the immediate secession ticket through timidity. Besides, the towns and cities have been flooded with sensational dispatches and inflammatory rumors, manufactured in Washington city for the especial occasion. To be candid, there never has been as much lying and bullying practiced, in the same length of time, since the destruction of Sodom and Gomorrah, as has been in the recent state campaign. The fault has been at Washington city; from that cesspool have emanated all the abominations that ever cursed a free people." The Reb. Rec., I, Diary, p. 12. And Etheridge, of Tennessee, stated on the 23d of January, in the house of representatives, that a gentleman whom it was contemplated making clerk of the house of representatives of the confederacy had said in one of the seceded states, before the election of delegates to the convention: "Truth will save the Union. The plan of Lincoln and his advisers is to turn the negroes of the south loose, and compel the poor people of the south to intermarry with them. With this hybrid population, they — the

indeed, the claim of the republicans that the secessionists were only a minority. But they bore evidence, on the other hand, that the secessionists, unlike the republicans, did not look upon that fact as decisive, but expected to obtain their object notwithstanding it. Moral indignation at the means they employed was no proof of the incorrectness of this calculation, and if the governor of Georgia considered it correct, the republicans surely had every reason to subject their own calculation again to a thorough examination. Georgia, to which the other slave states had conceded the honorable title of the Empire State of the South, was still proud of the services it believed it had rendered in former crises to save the Union; it had now chosen the Breckenridge electors by only a relative majority, and if among the most prominent and influential politicians of any of the cotton states there were men who might be trusted to struggle with the radicals, they were certainly most likely to be found in Georgia. If the radical politicians could manœuvre Georgia into secession, it was certain that they would be successful in a similar endeavor in all the other cotton states. And how could gentlemen in northern editorial rooms seriously believe that they were better able than the governor of the state to judge what was possible in Georgia? But if Brown had done what he was charged

Yankees — expect to raise cotton for their looms; in fact, to reap the harvest of the south. But the white people of the south, however poor, are opposed to amalgamating with negroes; they leave that to the white people of Massachusetts. We are of the opinion that the attempt to force amalgamation on the non-slaveholders of the south will be the most difficult job Mr. Lincoln ever undertook. He may give his own daughters or his neighbors to buck negroes, but the sentiment is different here." And then he (Etheridge) continued: "Why, sir, is it not a matter of history that R. Barnwell Rhett stood in the streets of Charleston a few weeks ago announcing to the engaged multitude that the people of the north had elected a mulatto vice-president?" Congr. Globe, 2d Sess., 36th Congr., App., p. 115.

with, there was, indeed, no explanation of his action but the one which the correspondent of the *Tribune* had given, and that should at last have opened the eyes of the republicans to the fundamental error in their whole argument about the danger of secession. Their reasoning led them to the result they wished for, solely because it was always built on one or other of the two premises presented by the actual circumstances of the south. If they had had to consider only the conspiracy of the politicians or only the spontaneous movement among the masses, their hope that the Union would be preserved, or, at least, that only South Carolina would make an attempt at secession, would have had a broad and firm foundation. But the answering of these questions had only a theoretical interest, since they had not been actually raised. The question was: What is to be expected from the co-operation of the conspiracy of the politicians and the spontaneous movement among the masses; that is, what use will the politicians be able to make of the latter? And all the circumstances that came into consideration allowed only one answer, viz.: The only limit to what they will be able to do is what they will *will* to do. But, so far as that was concerned, South Carolina was no longer the only state whose politicians had begun to follow up their words by decisive acts.

Governor Pettus had called the legislature of Mississippi to meet in extraordinary session on the 19th of November. He had, at the same time, invited the United States senators and federal representatives of the state to meet him at Jackson some days before the convention in order to confer with him as to what he should recommend to the legislature regarding secession. Not all who were invited appeared, and the views of those present were divided. Some wished, as Reuben Davis relates, to make the common action of the slave states, or at least the simultaneous

withdrawal of eight other states, a condition. The motion of Reuben Davis, however, that the governor should recommend the legislature to call a convention to resolve, independently of the other slave states, to secede immediately from the Union, and to carry the resolution into effect immediately, was adopted by four votes.[1] After this resolution had been passed, Pettus informed the gentlemen that Governor Pickens had telegraphed him asking his opinion as to whether secession should be carried into effect at once or not until the 4th of March. The answer was given in the resolution just passed, and the same four votes decided accordingly.

Although, with the exception, of course, of the calling of the legislature, nothing was yet known of these things, people had become gradually doubtful of the planter states.[2] Even the New York *Tribune* acknowledged that this doubt was well founded (November 24th), but thought that the movement had in them an essentially different character from that in South Carolina, viz.: To frighten the north into the surrender of constitutional rights. This view was not entirely unfounded. The powerful speech which Alexander H. Stephens had delivered for the Union on the 14th of November before the legislature of Georgia, had, in his opinion, so little effect, because people approved what T. R. R. Cobb had said two days before: "We can make better terms out of the Union than in it." Stephens was of opinion that at least two-thirds of those who had voted in Georgia for secession had done so because convinced that that was the surest way to a reconstruction of the

[1] Pettus, O. R. Singleton, W. Barksdale and R. Davis.

[2] R. Davis, Recollections of Mississippi and Mississippians, p. 390 ff. Of his first resolution, Davis himself says: "It was practically a declaration of war."

Union on an improved foundation.[1] Reuben Davis says that, in the Mississippi convention, many brainless demagogues and loquacious politicians made extensive use of this argument.[2] According to the testimony of an anonymous witness, Benjamin believed that the ablest of the leaders were really pursuing this end;[3] and the commissioner from Mississippi who wanted to induce Maryland to call a secession convention assured the citizens of Baltimore (December 19th) that that was all that was aimed at.[4] But how if this calculation proved wrong, and the north did not yield to the pressure? Did the New York *Tribune*, which was arguing with commendable energy that it should not, imagine that then the ordinances of secession would be repealed? If anything was certain, it was that even those who were for secession, only because they expected by its means to pave the way for such a reorganization of the Union as the slavocracy desired, would not speak a single word in favor of their repeal. The step was irrevocable because, on the one hand, it could not, in this case, be

[1] The War between the States, II, p. 321.

[2] "Many of them said openly, this is but a demonstration inviting concession, which concession will be promptly made, and the disrupted Union fully restored within the next twelve months." Recollections, etc., p. 403.

[3] Senator Benjamin's diagnosis of the position is "that the leaders of the inchoate confederacy are no more at one in their ultimate plans and purposes than, according to my best information, are the leaders in South Carolina. Mr. Benjamin thinks that the ablest of them really regard the experiment of a new confederation as an effectual means of bringing the conservative masses of the northern people to realize the necessity of revising radically the instrument of union." The Diary of a Public Man, under date of January 13, 1861. The *North Amer. Rev.*, August, 1879, p. 134.

[4] "Secession is not intended to break up the present government, but to perpetuate it. . . . Our plan is for the southern states to withdraw from the Union, for the present, to allow amendments to the constitution to be made, guaranteeing our just rights." Reb. Rec., I, Diary, p. 3.

retraced, and, on the other, because the concessions which would have been looked upon as sufficient were out of the question. Gilmer, of North Carolina, said in the house of representatives, that to secede, in order to bring about a better organization of the Union, was like repairing one's watch with the powerful blows of a sledge-hammer; it was a lying pretense of the secessionists to bait the masses who would refuse to have anything to do with them if they confessed their real aims.

Even after people had become accustomed to the idea that the cotton states, conditionally or unconditionally, would secede, they felt quite sure of the border states. If "the new northern confederacy" recognized slavery in its constitution, or if it only preserved the present constitution, said the Washington correspondent of the *Independent* in the same article in which he had for the first time admitted that there was serious danger to the Union, secession would certainly be confined to the five cotton states.[1] For this hope, too, there was sufficient foundation in actual circumstances, to make it easily intelligible how, as the wish is father to the thought, it might be considered well founded.

The interests of the border states and of the cotton states were identical neither with respect to slavery nor to the question of secession; they were, in fact, in direct conflict with one another.

With regard to the slave-holding interest, there were material differences in the border states themselves. Delaware, Missouri, Kentucky, Tennessee and a part of Virginia, out of which West Virginia was formed, may be looked upon, in the main, as a homogeneous group.[2] The rest of

[1] The *Independent*, November 29, 1860.

[2] To it belongs also the part of North Carolina which lay in the region called Alleghania. J. W. Taylor, in his Alleghania, p. 1 (according to the St. Paul *Press*), reckons as belonging to this region, "the Switzerland of the south," thirteen counties of North Carolina, three of South

Virginia occupied a position peculiar to itself. Maryland belonged to it by the powerful minority of its population, and to the above-mentioned group by the large majority. For the latter, slavery was by no means of vital interest, for economic life was nowhere based on it completely, and, for the most part, it either played an insignificant role in it or was utterly insignificant.[1] Hence the disposition to risk all for the sake of slavery was confined in these states to a small fraction of the population, while the number of those was large who had nothing left for it. The larger half of Virginia and an influential class in Maryland were, on the other hand, interested in it as much as the cotton states, although in a very different way. The former were the producers and the latter the consumers, and, precisely because they were the producers, they must be injured by a confederacy based on slavery even more directly than the other border states.

Carolina, twenty of Georgia, fifteen of Alabama, and twenty-six of Tennessee, an area of eighty-five thousand eight hundred and thirty-five English square miles. Page 16. See, also, Olmstead, Journey in the Back Country, and the anonymous book, The Effect of Secession upon the Commercial Relations between the North and the South, and upon each Section, especially pages 66 and 69.

[1] According to the census of 1860, there were in Tennessee, out of a total population of 1,109,801, 275,719 slaves; in twenty-nine of the eighty-four counties, however, the slave population was less than 1,000; the twenty-nine counties had in a total population of 138,623 only 13,997 slaves. In Kentucky the proportions were still more favorable, and the difference between the different parts of the state was still greater: 225,483 slaves in a total population of 1,155,684; in forty-five out of the one hundred and nine counties, the slave population was under 1,000; in the forty-five counties there were 17,926 slaves in a total population of 328,447. As a slave state, Missouri was in a dying condition; only 114,931 slaves in a total population of 1,182,012. In seventy-seven of the one hundred and thirteen counties the number of slaves was under 1,000; the seventy-seven counties had 20,972 slaves in a total population of 509,572. Delaware, with a total population of 112,216, had only 1,798 slaves.

That the seceded states[1] would immediately form a confederacy had been looked upon from the first as self-evident. But it was just as self-evident that slavery would be the basis of that confederacy. This has, it is well known, been violently disputed. It has even been attempted to deny that slavery was the cause of secession at all. He who has the slightest knowledge of the history of the conflict can, of course, only characterize such a denial as absurd. There is, however, no lack of direct, unimpeachable witnesses of the truth of the statement. The pretended violations of law with respect to slavery constitute the list of grievances in the ordinances of secession. That of Mississippi expressly mentions slavery as the cause of secession.[2] And not the politicians only without exception but their spiritual guides told the people, clearly and emphatically as it could be told them, that it was the cause. "We entreat our readers," wrote the *Southern Presbyterian* (Columbia, S. C.) on the 15th of December, "to let nothing mislead them on this point. The real contest now in hand between the north and the south is for the preservation or destruction of slavery."[3] A year later the general assembly of the Presbyterian church in the Confederate States characterized slavery, in an address to all the churches of the world, as the root of all the controversies which had finally involved the country in the horrors of an unnatural war.[4] If the

[1] Texas alone, perhaps, excepted, if Houston rightly judged the feeling of its population, which, however, seems not to have been the case. See his letter of the 2d of January, 1861, to J. M. Calhoun, the commissioner of Alabama. Magazine of Amer. Hist., XII, pp. 365–369.

[2] "Our position is thoroughly identified with the institution of slavery. . . . There was no choice left us but submission to the mandates of abolition, or a dissolution of the Union." Journal of the State Convention, p. 86.

[3] Stanton, The Church and Slavery, p. 187.

[4] "In addition to this, there is one difference which so radically and fundamentally distinguishes the north and the south, that it is becom-

south had broken the old national alliance on account of slavery, it could not, if it would be consistent, help basing the new national alliance, as the bishops of the Episcopal church had announced in a pastoral letter, on slavery.[1] What the *Confederate* — in contrast with those who hoped and expected that the west would not go with the north but with the south — also wrote was, therefore, logical, viz.: that "to admit any free state or a state partly free into our confederacy would be suicidal." [2]

But if the confederacy was based upon slavery, it would have to come to the resumption of the African slave trade. This has not only been disputed, but would seem to be refuted by the fact that the African slave trade was prohibited by the Montgomery constitution. But what the southerner, Holt,[3] wrote has never been, and never can be, refuted: "It is well understood that this step has been taken as a mere measure of policy for the purpose of impressing the border states and of conciliating the European powers. The ultimate legislation of this trade by a republic professing to be based upon African servitude must follow as certainly as does the conclusion from the

ing every day more and more apparent that the religious (!) as well as the secular interests of both will be more effectually promoted by a complete and lasting separation. The antagonism of northern and southern sentiment on the subject of slavery lies at the root of all the difficulties which have resulted in the dismemberment of the federal Union, and involved us in the horrors of an unnatural war." Stanton, The Church and the Rebellion, pp. 51, 52.

[1] "The systems of labor which prevail in Europe, and which are, in many respects, more severe than ours, are so arranged as to prevent the separation of parents and children, and of husbands and wives; and a very little care upon our part would rid the system upon which we are about to plant our national life of these unchristian features." November 22, 1862, Stanton, The Church and Slavery, p. 181.

[2] The *Confederate*, No. 12, p. 99.

[3] The postmaster-general was from Kentucky.

premises of a mathematical proposition."[1] The Charleston *Mercury* protested immediately (February 12) against that provision. The development of the country might imperatively demand the importation of slaves, and it was, therefore, "short-sighted, weak and sentimental" for the people to tie their hands by a constitutional enactment of that kind.[2] T. S. Gourdin, of Florida, threw away even the little cloak of diplomacy in which the *Mercury* had wrapped its protest. In the bluntest way he accused congress of gross inconsistency.[3] And L. W. Spratt not only convicted it (congress) of this, but proved to it that by such pusillanimous concessions to the moral sentiments of the rest of the world, it undermined the very foundations

[1] Letter of J. Holt to J. F. Speed, Washington, May 31, 1861, p. 27.

[2] "We deem it also unfortunate and *mal a propos* that the stigma of illegitimacy and illegality should be placed upon the institution of slavery by a fundamental law against the slave trade. In our opinion it is a matter of policy, and not of principle, to be decided now and hereafter, from sound views of the necessity and safety of our peoples. We think it a proper subject of legislation. We are willing to prohibit it by legal enactment like any other topic of legislation. But while England imports her thousands of Coolie slaves, and France hers, under the farcical appellation of 'apprentices,' — while they are striving by these means to compete with us and supersede us in producing the tropical productions of slave labor, — while we have within our reach a large scope of fertile territory uncultivated in Texas, and may have long the silver mines of Arizona, and the teeming states of Mexico, to populate and reduce to agricultural productiveness, — it seems to us short-sighted, weak and sentimental to preclude forever, by fundamental enactment, the adoption of a policy that may become essential to our appropriate growth and expansion, and to our successful competition with the hypocritical nations of Europe."

[3] "If we believe slavery to be morally right, and find it to our interest to keep up the institution, let us be manly enough to maintain our principles in opposition to the rest of the world. But for God's sake, and the sake of consistency, do not let us form a union for the express purpose of maintaining and propagating African slavery, and then, as the southern congress has done, confess our error by enacting a con-

of the structure to be erected.[1] The cotton states, he said, could not make use of free workmen. They would become the mortal enemies of slavery, and, at last, it would be impossible to defend one's self against them. Slavery and democracy could not share the supremacy with one another. Even in Charleston the undermining of the slavocratic order of society had already made alarming progress, and it would continue uninterrupted throughout the whole country if the cotton states were kept from getting the laborers they needed. The policy entered upon by that constitutional provision must, therefore, be reversed by a second revolution.[2] To such an ex-

stitutional provision abolishing the African slave trade." 28th Am. Rep. of the Amer. Anti-Slav. Soc., p. 67.

[1] "If, as some asserted, at the outset of our career, it were wise to exhibit deference to the moral sentiment of the world, the obligation is as perfect to respect the moral sentiment of the world against the institution. The world is just as instant to assert that slavery itself is wrong; and if we forego the slave-trade in consideration of the moral feeling of the world, then why not slavery also? We cannot dodge the issue; we cannot safely change our front in the face of a vigilant adversary. Every intellectual or political evasion is a point against us. We may postpone the crisis by disguises, but the slave republic must forego its nature and its destiny, or it must meet the issue, and our assertion of ourselves will not be easier for admissions made against us. And is it not, in fact, from a sense of weakness that there is such admission?" l. c.

[2] "Thence another revolution. It may be painful, but we must make it. The constitution cannot be changed without it. It is doubtful if another movement will be so peaceful, but no matter. . . . That slavery, as sent forth by the southern congress, like the Thracian horse returning from the field of victory, still bears a master on his back, and, having achieved one revolution to escape democracy at the north, it must still achieve another to escape it at the south." The Charleston *Mercury*, February 13, 1861. On March 2, Brabson, of Tennessee, said in the house of representatives: "Mr. Spratt is not the only one in South Carolina who is now agitating the question of seceding from the southern confederacy unless the African slave-trade is constitutionally recognized." Congr. Globe, 2d Sess., 36th Congr., App., p. 294.

tent, therefore, was slavery the cause of the whole struggle that, simultaneously with the origin of the confederacy, rev olution was demanded in the revolution, because even this slavocratic alliance would not give full satisfaction to the slavocratic interest — would not, certainly, in great measure, but in great measure only or partly, because it recognized that it could not. But if ever the time came when it could, that is, when consideration for the border states and regard for European powers need no longer control it, it would certainly have to give the slavocratic interest full satisfaction, if it wished to avoid a new revolution. Even the words of the *Confederate* quoted above were not "the whole truth." Slavery would have to remain the seed of the dragon, in the confederacy founded upon it, and the fomenters of secession had recognized this long ago. When South Carolina was yet the only seceded state, Orr had said that "the most earnest and best heads" desired no very close connection with the gulf states which had sucked away so much of their (slave) blood, and that they would be glad if the state could remain all by itself, like Rhode Island after the adoption of the constitution.[1] The constitution prohibited the importation of slaves, but actual overmastering circumstances would compel the slavocratic republic to allow Pickett's demand in its future programme: Prohibition of white immigration (the rich and talented excepted) and free access to the African slave market — "should the south have four times the slaves as free men it will be none too many."[2]

But to Virginia the resumption of the African slave trade meant economic ruin. True, here also slavery lay under a heavy weight on account of a steady drain; for, although

[1] The Diary of a Public Man, The *North Amer. Rev.*, August, 1879, p. 128.

[2] The Existing Revolution, p. 12.

the absolute number of slaves still grew slowly, their relative number diminished constantly and rapidly.[1] But the raising of slaves was, none the less, one of the most important and most remunerative sources of acquisition of the state, and as soon as the African market became accessible, these commodities would be wholly unsalable because of their too high price. The Richmond *Enquirer*, therefore, had, when the southern convention in Montgomery in 1858 had declared in favor of the reopening of the slave trade, expressed the opinion that it would be more advantageous for Virginia, in case the Union were dissolved, to join the north, because it would then receive a large amount from the south for its slaves, and because the value of its land would rise in consequence of immigration from the north, while, in a southern confederacy which allowed the African slave trade, it would lose two-thirds of the value of the slaves and would witness no increase in the value of its land.[2]

It might indeed be an error that in case of the formation of a southern confederacy the slave-holders of the border states would, as such, find their interests best guarded in the northern federation. But it was entirely undoubted

[1] Increase of the slaves from 1830–1860 about five per cent., of freemen forty-three per cent. The Effect of Secession upon the Commercial Relations, etc., p. 43.

[2] The Edinburg *Review*, October, 1858, p. 571. Iverson, indeed, now drew the opposite conclusion. Virginia and Maryland, he said, must be reckoning without their host, if through fear of the reopening of the African slave trade they recoiled from passing a resolution of secession. Precisely in case the confederacy were limited to the planter states, would he not guaranty that that would not happen which was not otherwise to be dreaded. Congr. Globe, 2d Sess., 36th Congr., p. 51. Governor Gist had already shown in his message to the legislature of South Carolina how that question could be used to exercise the greatest pressure in the border states: Prohibit the importation of slaves from states not members of the southern confederacy, "and the only alternative left them will be emancipation by their own act, or by the action of their confederates."

that both the slave-holders and non-slave-holders of the border states would, of all southerners, gain least and lose most by the dissolution of the Union, no matter in what way that dissolution took place. The border states were the connecting tissue between the two halves, so firmly united by material and ideal interests to both that the severing of the bond must have the effect of an incision made into the very center of life. And not only was the incision deepest here, but the feeling was here greatest; for on the relation of this part of the republic to the whole it depended that the Union was not only a political relation, but had also become an economic and social fact, and had become such more and more with every passing year. If the border states left the Union, they would do so only for the sake of the slave-holding interest, and yet the latter must be injured most directly and most seriously by the separation. Its only well-grounded complaint was with regard to fugitive slaves, and, precisely in this respect, it would deprive itself of all protection by secession. And to the bad bargain of complete unprotectedness for sufficient protection there would have been added, in all probability, the whole series of annoyances and vexations to which a border region may be subjected by an unfriendly neighbor. The slave-holders could calculate least of all on being spared, and they might be injured most easily and seriously. But the vexations and burthensome economic dependence on the north would not be put an end to at a single blow by secession. Under the vital laws of a confederacy based entirely on slavery, the development of an industry of their own, by the border states, would be entirely impossible, and even if the claim, that free trade would afford full compensation for the connections they had hitherto had with the north, proved correct, it could be only after a long lapse of time. This was true especially of credit, in which the dependence

they felt so galling found the most pregnant and most significant expression. Such far-reaching transformations of economic life, combined with extensive changes in the highways of trade, cannot be completed in a day, and existing interests all suffer heavily from them.[1]

The bargain would have been still worse, of course, for the border states, if secession led to war. They would then become the theater of war, and that meant double and treble taxes on property and blood, and affliction of every kind. The revolution would have been made by the planter states in their own interests, but the border states would have to pay the lion's share of the bill.

All this was clearly understood and fully appreciated in the border states. Erroneous, therefore, as was the assertion made by the *Independent*, on the 6th of December, that South Carolina would not find any imitators unless they were procured for her by the employment of force,[2] it was entirely probable that the border states would maintain an expectant attitude, so long as no coercive measures were resorted to. Governor Hicks rejected the revolutionary solicitations of the commissioner of Mississippi, with the declaration that Maryland, although it unquestionably belonged to the south by its way of thinking, institutions and customs, would not raise a finger against the Union until all constitutional means had been exhausted and it had become certain that the rights of the slave states were no longer to be respected, and that it would act only in concert with

[1] Our belonging to the confederacy, contended Clemens, of Virginia, must be of disadvantage to it or to us; that is an inevitable consequence of the connective intermediate position of the border states. Congr. Globe, 2d Sess., 36th Congr., App., p. 105.

[2] "There is no chronic idiocy in any other southern state, as a whole, except in South Carolina, and therefore no other southern state is going out of the Union, unless such an event be precipitated by an unhappy attempt to coerce her to stay in."

the other border states, "since we and they, in the event of any dismemberment of the Union, will suffer more than all others combined."[1] Governor Magoffin issued an address to the people of Kentucky in which, on the one hand, he told the states anxious to secede: "We cannot sustain you in this movement merely on account of the election of Lincoln," and implored them, on the other, not to desert Kentucky "in her exposed, perilous border condition."[2] Virginia, too, which by reason of its power, geographical situation, and more especially its historical position in the Union, was by far the most important, had earlier shown itself reserved and cautious when overtures were made to it by South Carolina, and it did not yet cast off its reserve, although the governor sympathized with the secessionists, and the legislature convoked by him in extraordinary session had decided in favor of the holding of a convention.

The Fire-eaters, therefore, had never expected the enthusiastic adherence of the border states, and, in part, had not desired it. The reason for this had been given as early as on the 7th of June, by J. Townsend, with the utmost frankness, in a speech at St. John's Colleton,[3] South Carolina. The formation of the confederacy, he said, must follow on the heels of the republican victory at the polls, in order that its entire governmental apparatus may be complete and in a condition to meet every demand at the time of Lincoln's inauguration.[4] That the border states would not join it, was true, but that was no valid objection. On the

[1] Dec. 19, Reb. Rec., I Doc., p. 1.

[2] Greeley, The American Conflict, I, pp. 340, 341.

[3] Printed under the title, The South should Govern the South.

[4] Yancey had said as early as July 8, 1859, in Columbia, that, in case a republican was elected, "the only hope of the south is a withdrawal from the Union before he shall be inaugurated, and the sword and the treasury of the federal government shall be placed in the keeping of that party." The New York *Tribune*, July 20, 1859.

contrary. Ultimately — he meant a few years — they would unite with the confederacy, and, from the first, it would derive greater advantages from their sympathies and from their influence in the Union than if they belonged to it. "They will form a barrier between us and our enemies should they attempt hostile aggression; thus allowing us time to get everything ready, and to stand firmly on our feet." On the 7th of November a Virginian had confessed the same views in joy-intoxicated Charleston. Edmund Ruffin was an enthusiastic secessionist, and hence he declared that, as a Virginian, he regretted that his state had not gone as far as South Carolina. But as the circumstances were different, it was, perhaps, better that Virginia and all the other border states should remain quiet, "to serve as a guard against the north." By remaining in the Union for the time being, they would prevent both hostile laws and any attempt at subjection. The first drop of blood shed on the soil of South Carolina would, however, bring Virginia and all the other slave states to its side.[1]

So far at least as Virginia was concerned, this was certainly right, and the fact that it was right weighed more than all the consequences which could flow from the opposition of interests between the border and cotton states, for it must finally become the decisive element. But this was ignored, or not sufficiently appreciated, by the republicans. Consideration for the border states, and especially for Virginia, made them now sail in the dead-water of Buchanan's policy of passivity, and kept their arms tied, even after the 4th of March. Negotiations were resorted to, because it was considered possible that the border states would finally consent to abate their demands to the minimum which could be agreed upon and keep them in the Union, and it was not recognized that nothing would be gained if that hope were

[1] Greeley, The Amer. Confl., I, pp. 335, 336.

fulfilled. Any agreement that could be reached would necessarily remain a dead letter, because it was impossible to hold the border states, or at least Virginia, unless the planter states were won back. But this could not be done, even by concessions far exceeding what the Douglas democrats themselves had considered the extreme limit. It could be accomplished, if at all, only by complete submission. If the north would neither agree to this nor let the planter states go, it would at last have to proceed to action, do its duty, and enforce in some way what it considered right. But the attempt to do so would be a great stimulant to the secessionists in all the border states, and would doubtless lead immediately to a decision in Virginia. For a long time it had allowed much less doubt to exist on this point than on its wish to see the dissolution of the Union avoided by new concessions to the slavocracy. In the message which he sent to the legislature when it met, on the 7th of January, Governor Letcher declared that he would look upon the attempt of federal troops to march through Virginia, in order to employ force against a southern state, as an invasion which must be repelled by force. Hence, the principal object which the compromise negotiations had been seeking to obtain since the middle of January could not be reached; they *could* have only one result, and that result they *must* have: to leave the planter states ample time to pile accomplished fact on accomplished fact, and, as Townsend had said, to be ready, when Lincoln entered office, to begin the struggle.

The reason why this was not recognized while its recognition might have been turned to account, was, in great part, because, so far as the moral and legal considerations of the south were concerned, the republicans never, in their speculation on what it would probably do or not do, really took the slavocratic point of view, but always substituted

their own, more or less, for it. The fact now made itself terribly felt that, in both respects, the thought and feeling of the two sides had gradually diverged so greatly that the capacity for understanding one another had been, to a great extent, lost. The republicans would have calculated more correctly if, on one essential point, they had not done much more justice to the south than must have often seemed they did, from their words. Because they knew that the ambition of unprincipled demagogues played, after all, only a comparatively subordinate part in the secession movement, and that the morality and religiousness of the southern population were, on the average, not inferior to those of any other people,[1] — because they knew this, no reasoning and no facts could overcome their feeling that moral repugnance to hoisting the black flag of revolution at the risk of raising also the red flag of civil war, for the sake of the immoral institution, must finally be victorious. But the foundation of this feeling was a view of the institution of slavery which had alienated the whole south — with a few exceptions in the border states — to such an extent that the moral basis of the political standpoint of their northern opponents irritated them most sorely. The churches, wrote one of the elders of the Presbyterian church in Georgia, in April, 1861, have done more than the politicians[2] to bring about the revolution. They have been instruments of God and should not now abandon their own grand creation. The success of the politicians was due chiefly to the support they had received from the moral feeling of the people. The churches must consummate what they had begun.[3]

[1] At least of the in any way influential classes, and even of the small land-owners, notwithstanding their low degree of education.

[2] Stanton thinks that it was probably Thomas R. R. Cobb, afterwards a general in the Confederate army, who fell in December, 1862.

[3] "This revolution has been accomplished mainly by the churches.

There was no need of the exhortation. And the nearer the time approached when all reins and hearts would be tried, the more devotedly and zealously did the preachers do their "duty," not only as "patriots," but also as men of God called and commanded to announce the will of the Most High to the people. No medieval monk ever carried wood to the stake at which heretics were burned for the greater glory of God more fully satisfied that they were doing Him a service than did these apostles of Christ when they bore the logs of their coarse biblical learning to the revolutionary fire and poured the oil of their ethical authority on its flames. So thoroughly had they preached themselves into a belief in their doctrine of the moral and religious nature of slavery that they could not be silent, for, even before South Carolina had seceded, the Presbyterian synod of the state had proclaimed it its duty before God and man, not only to go with it, but to lead it with prayer and benediction.[1] True

I do not undervalue the name, and position, and ability of politicians; still I am sure that our success is chiefly attributable to the support which they derived from the co-operation of the moral sentiment of the country. Without that, embodying, as it obviously did, the will of God, the enterprise would have been a failure. . . . Let the church know this and realize her strength. She should not abandon her own grand creation. She should not leave the creature of her prayers and labors to the contingencies of the times, or the tender mercies of less conscientious patriots. She should consummate what she has begun." *Southern Presbyterian*, April 20, 1861. Cited in Stanton, The Church and the Rebellion, pp. 197, 198.

[1] "But there is now a grave and solemn question before the people of this state, affecting its very life and being as a state, and that question, of course, has its religious aspect and relations, upon which this body is perfectly competent to speak. . . . There is involved, at this immediate juncture, a duty to God who gave us our rights — a duty to our ancestors, whose blood and suffering procured them for us — a duty to our children, whose precious inheritance we may not waste nor defile, and a duty to our very slaves, whom men that know them not, nor care for them as we do, would take from our protection.

there was not the least trace of the Puritanic glow of conviction in this spirit, but there was not a little of the fanaticism of the southern priest who goes before the storming column with uplifted crucifix. And precisely because sober thought was not able to assert itself against the overpowerful voice of feeling, the masses had not the slightest doubt that their religious armor should be sound and strong.

To follow critically the commentaries of the Reverend Th. Stringfellow on Colossians, III, 22, and similar biblical texts, they had as little inclination as they had calling and capacity; but when the doctor of theology who was so thoroughly versed in the Bible cried out that hostility to slavery was "high-handed rebellion against God," and called it a "scandal,"[1] that it was necessary to tell a Chris-

The synod has no hesitation, therefore, in expressing the belief that the people of South Carolina are now solemnly called on to imitate their Revolutionary forefathers, and stand up for their rights. We have an humble and abiding confidence that that God whose truth we represent in this conflict will be with us, and exhorting our churches and people to put their trust in God, and go forward in the solemn path of duty which his Providence opens before them, we, ministers and elders of the Presbyterian church in South Carolina synod assembled, would give them our benediction, and the assurance that we shall fervently and unceasingly implore for them the care and protection of Almighty God." The New York *Tribune*, December 7, 1860.

[1] "Is all that He (Christ) felt, and all that He did, in reference to slavery, infinitely right and infinitely perfect? If He was 'God manifested in the flesh,' this must be so. And if this be so, then there is in our country the most daring and high-handed rebellion against God, on this subject, that has ever been practiced since He said, 'Ye are my friends, if ye do whatever I say unto you.' The principle of subordination, sought to be overthrown, is vital in church and state. The infidel principle of 'freedom and equality,' sought to be established on its ruins, is unknown to the Bible, contradicted by all experience, and subversive of all government among men.

"Hoping that God in his providence will make me an humble instrument in opening the eyes of some such, I have penned these pages. I feel that the necessity for such an effort is a scandal to a Christian peo-

tian people so, they could fully understand him: they felt certain that they were marching and fighting under a consecrated banner.

It was the same with respect to the legal question. That secession was in a certain sense revolution was, for the most part, not questioned even by the Fire-eaters. They claimed the right of secession asserted by them, not as a right under the constitution, that is, as a right deducible from the constitution. This, however, does not mean that secession was considered politically and morally justifiable only under the given circumstances, or that only a right in the sense of the general right of revolution on which the Declaration of Independence was based was had in view. They deduced it from the sovereignty of the states as a positive right, older than the constitution and above the constitution, and on this point the immense majority of the rest of the population of the southern states was in the fullest agreement with them. Even those who under the existing circumstances did not consider secession justified were convinced than when a convention chosen *ad hoc* by the people resolved on it, it became absolutely legal and binding on the Union and all the citizens of the state. On this account, the opposition was almost throughout only a conditional one, and, as a rule, this was expressed as clearly and emphatically as Stephens had expressed it in his Union speech of the 14th of November, a speech which really gushed from the very depths of his heart. The number of those was great to whom obedience to the command of the state was difficult, but, save a small minority — a few in the border states excepted — they did not hesitate a moment, for they had no question that they owed it. But this, too, that it was their most sacred conviction that allegiance to

ple; for certain I am that no article of the Christian faith is better sustained by the Bible than is that of slavery." Th. Stringfellow, Slavery, Its Origin, Nature and History, pp. 49 and 51.

the state was paramount to all duties to the Union, was not understood at the north — especially by the republicans — and was at first not believed. To-day no one will deny that this conviction was real. Secession was looked upon, in the planter states, as rebellion, only by an evanescent minority, and hence there was in the revolution a powerful moral force. However southern individuals may have looked upon the question of secession politically, the moment it had been decided in the manner considered legal, and the Union grasped the sword, all believed that they should stand up for their rights against brutal, unlawful force.[1] But the moral force in the revolution upset all the calculations of the republicans based on the absence of capital, industry, arms, etc., and would have done so even if every southerner had not been, so to speak, born to arms. A population of millions, high-minded and courageous, spread over a boundless territory, filled with such convictions, would have under any circumstances developed a great power of resistance, and would probably, under any circumstances, have considered themselves unconquerable.

[1] In North Carolina, Governor Ellis and the majority of the legislature belonged to the more radical slavocracy, and hence a convention was called. The people, however, not only chose a strong majority of "Union men" but also declared that the convention should not meet. After the taking of Fort Sumter, however, it met and unanimously resolved on secession on the 20th of May. Journal of the Convention of the People of North Carolina in Raleigh, pp. 15, 16. In consequence of a resolution of the legislature of New York which tendered money and men to the president, the legislature of Tennessee resolved "To inform the executive of the state of New York, through the governor, that it is the opinion of this general assembly that whenever the authorities of that state shall send armed forces to the south for the purpose indicated (coercing certain sovereign states of the south into obedience to the federal government) in said resolutions, the people of Tennessee, uniting with their brethren of the south, will, as one man, resist such invasion of the soil of the south, at all hazards, and to the last extremity." Congr. Globe, 2d Sess., 36th Congr., p. 572.

The last and deepest reason of the illusion that the masses of the south would forsake their leaders was, however, the assumption of the republicans that the revolution was groundless. Was it conceivable that the selfishness and desire for supremacy of a numerically small aristocracy, and the ambition of certain politicians, would, in the face of an undisputed and indisputably legal presidential election, which amounted to the maintenance of the *status quo*, be able to make the masses forget the principle of the supremacy of the law which generations had made part of their flesh and blood? The programme of the republican party went in no way counter to the possessory rights of the slave-holding interests, and Lincoln would not have been able to go counter to them even if he had wished to do so. In the United States the party to which the president belongs is wont to be called, and to a great extent is really considered, the "ruling" party, although the people are very well aware that it is by no means always so. Properly speaking, there is no ruling party except when the president and the majority of both houses belong to the same party. If that is not the case, and if the same party has a majority in both houses of congress, it has the better claim to the title. "All" legislative power belonging to the Union has been granted to congress. The president cannot strike an iota out of the laws in force or add anything to them; he has only, to a certain extent, the power to prevent congress changing the existing legal situation by the repeal of existing laws or the passage of new laws. The utmost, therefore, that a president whose wishes and endeavors are not in harmony with those of congress can do, in a legislative respect, is to maintain the *status quo* during his term of office. Lincoln would have found himself in this situation if the Union had continued. In the new elections to the house of representatives, the democrats had made important gains, so that Andrew Johnson

figured out a majority of twenty-seven[1] and Alexander H. Stephens one of thirty[2] votes against Lincoln; and, in the senate, although the democrats there had lost some votes, the republicans were in the minority by four votes. Hostile legislative measures were, therefore, entirely impossible, so long as the radical slavocracy did not create a possibility of them by helping the republicans to a majority by secession. The south, therefore, had it entirely in its own power to prevent every step backward — I mean from its standpoint — in a legal manner, and to renew the struggle for further concessions. Even with respect to the appointment to offices, so far as the more important positions were concerned, Lincoln would have been entirely under the control of the senate through the right of confirmation. Hence Douglas was scarcely guilty of exaggeration when he said that a high-minded people should look upon a president bound in such a way rather as an object of pity than of alarm.[3]

Several southern speakers and papers frankly admitted that Lincoln's utter inability to pursue a hostile policy towards the slave-holding interest, with any success, could not be questioned. But it was declared, even by the conservatives, who demanded a "fair trial" for his administration, that it would be very difficult to obtain it.[4] The radicals asserted with the Richmond *Enquirer* (November 19th) that what the president could or could not do had

[1] Congr. Globe, 2d Sess., 36th Congr., p. 117.

[2] Cleveland, Alex. H. Stephens, p. 697. See, also, the address of the Pine Street Meeting in New York in M. Dix, Memoirs of John Adam Dix, I, p. 352.

[3] Letter of the 13th of November to some gentlemen in New Orleans who had asked him to deliver a speech. The New York *Tribune*, November 20, 1860.

[4] Thus, for instance, the Norfolk (Va.) *Herald* of November 9th writes: "The election of Mr. Lincoln, in itself, is not calculated to cause any alarm at the south, and, indeed, the probability is that he

no bearing on the main question; the programme of the republican party was a declaration of war, and the war had actually begun with the election of the 6th of November.[1] This was true in a certain sense; and just because it was true only to a certain extent, the inability of the president to pursue an aggressive policy towards the slave-holding interest could not move the secessionists to desist from their design, but, on the contrary, forced them to carry it out immediately. The programme of the republican party was a declaration of war, even if it were only the declaration of a defensive war. It did not, however, follow from this that the slavocracy had nothing to fear from such a war, since, as has been repeatedly proven, the continued extension and strengthening of its supremacy was a necessary condition of its existence. But because it was brought face to face with the question of existence by a defensive war, Lincoln's constitutional powerlessness with respect to it became the greatest of dangers, because, so far as the action of the federal government was concerned, it made the carrying out of the conservative party programme absolutely certain. But if the first proof that, de-

will administer the government with strict impartiality; or, if anything, will be more regardful of the interest of the south than southern presidents usually have been; but it is the idea which he represents — the deep-seated enmity of southern institutions — which has shown itself ready to overleap the barriers of the constitution and trample on the rights of the south, — it is this that justly wakens the solicitude and alarms the jealousy of the southern people; and they find it difficult to reconcile themselves to wait and give his administration a fair trial. But, nevertheless, it is proper that they should do so."

[1] "The significant fact which menaces the south is not that Abe Lincoln is elected president, but that the northern people, by a sectional vote, have elected a president for the avowed purpose of aggression on southern rights. The purpose of aggression has been declared. This is a declaration of war. An important act has been committed for the purpose of consummating this declaration. This is an act of war committed by state officers, acting under the dictation of a popular vote."

spite the republican president, the *status quo* remained and could not be changed by him, were given to the masses of the southern people by experience, it would become, in all probability, impossible for all time to convince them that, notwithstanding, Lincoln's election was the first battle in a war whose end must be the annihilation of slavery. Before it could be shown that the republican victory at the polls would not be followed directly by changes of any kind with respect to the slavery question, secession had to be an accomplished fact, or it could not be started at all. The secessionists scarcely made any secret of it that this conviction left them no choice. More than one speech in congress gave this as clearly to be understood as if it had been expressed in the plainest words.[1]

But there was still another reason why the secessionists must act without delay, unless they wanted never to act. If they did not do it now the ban under which the north had hitherto lain would be lifted, and could never be laid again. Often as it had been claimed that, in the whole world, the future belonged to slavery, it was very well known that the spirit of the age had to be reckoned with, and it was also known to what an extent it had to be reckoned with. This fact was now taken into consideration. We must go with the rest of the slave states, said McGowan on the 9th of November in the legislature of South Carolina, because, in the matter of slavery, we have the remainder of the world against us, and stand completely isolated.[2] That was right, and was true of the northern democrats also. They had been allies and servants of the slavocracy, but not of one mind or of the same feeling with them, and hence, if Lincoln's election were put up with, the slavocracy could not find allies and servants in them in the future to the

[1] See, for instances, the utterances of Clingman and Iverson on waiting for "overt acts." Congr. Globe, 2d Sess., 36th Congr., pp. 4 and 11.

[2] See Greeley, The Amer. Confl., I, p. 534.

same extent as in the past. It was very possible, if not indeed probable, that, as Bigler in the senate and Vallandingham in the house claimed, the democrats would again get the helm into their hands. But these democrats could not be the democrats of former days. Had it not been seen plainly enough, in the case of Douglas, that even they could not resist the spirit of the age. That spirit could not have been checked under any circumstances, but now it must advance at a powerfully accelerated pace, because fear had vanished. It was even now only too keenly felt that the everlasting threats of the south had merely the effect which the shepherd lad in the fable accomplished with his false cry of: "wolf! wolf!" The republicans no longer believed in its earnestness. If the threats were not now made good they would become a mockery. Nobody would have believed in them any longer — not even the masses of the southern population. It was, therefore: "Now or Never."

CHAPTER VIII.

WRONG CALCULATIONS OF THE SECESSIONISTS.

On the evening before the choice of presidential electors, Senator Chestnut, of South Carolina, had said in Columbia to a crowd of people who had tendered him an ovation, that the departing sun of the coming day would witness the decision of the fate of the republic. In all probability Lincoln would be elected. "In that event, the lines of our enemies seem to be closely around us, but they must be broken. They might see in the hurried paths of these starched men of livery the funeral cortege of the constitution of the country. Peace, hope, independence, liberty, power, and the prosperity of sovereign states may be draped as chief mourners; still, in the rear of this procession, there is the light of the glorious past, from which they might rekindle the dying blaze of their own altars. We see it all, feel it all; and, with Heaven's help, we will meet it all."[1]

A cruel self-delusion! The leaders, indeed, saw much more of the consequences of their action than they allowed the masses to see; but if they had seen only half of what the first year was destined to bring forth, very few of them would have persevered in their design.

The military measures resolved upon with a great expenditure of enthusiasm were looked upon by most people only as belonging to the proper placing of the scene upon the stage, in order to make doubly certain that the north should not, in the blindness of its first attack of rage, be

[1] Greeley, The Amer. Confl., I, p. 331.

led into the insane attempt to make use of force.[1] Reuben Davis relates that, during the session of the convention in Jackson, one Ayers had offered Mississippi the best machines for the manufacture of hand-weapons, and was willing to receive payment in paper of the state, but that the offer was rejected because no serious war was to be expected.[2] He (Davis) and the governor had been "cursed with great heartiness from one end of the state to the other" because the eighty companies which had offered their services had been ordered into camp; the countermanding of the order was demanded, which only the vanity of the two gentlemen had dictated, on the ground that it was not possible that it would be necessary to employ these men.[3] Even the central government, when the country was in the midst of war, was still convinced that it would not amount to any more than a short tussle. That the battle of Bull Run was the last of the war was so self-evident that public opinion in Mississippi angrily demanded the breaking up of the camp and the discharge of the troops. Pettus and R. Davis, who saw more clearly, telegraphed to Richmond, inquiring whether the men would probably be used in service in the field up to the 1st of October. They received the answer that they would be needed neither up to that time nor later.[4] People were not simply convinced that that subjection could not be successful. So deeply had they talked themselves into the impossibility of an attempt[5] at it, that when that view was refuted by facts, it took them a long time to convince themselves of the seriousness of the attempt. And, pre-

[1] See Rob. H. Smith, Address to the Citizens of Alabama, etc., March 30, 1861, p. 22.

[2] Recollections, p. 404.

[3] Ib., p. 104.

[4] Ib., pp. 407, 408.

[5] See Edm. Ruffin, Consequences of Abolition Agitation (1857), p. 8.

cisely as with the wrong calculations of the republicans, every single opinion here had so much truth in it, that, in eyes troubled by the wish, father to the thought, it seemed irrefutable.

Even northern democrats of reputation and influence, like Vallandingham, of Ohio, and Florence, of Pennsylvania, had frequently declared publicly, and with great positiveness, during the last years, that the north would have to fight in its own house, if it ever dared in reckless folly to employ force against the south.[1] At that time, however, it might have been believed that this was only a coarse means of frightening the masses from the republican party. But the wild threats were even now continued, and they were repeated not merely by any stump speaker who chose to make them and by demagogues of low degree. Thus, for instance, Lane, whom the slavocratic wing of the democratic party had wished to make vice-president, in holy indignation told Andrew Johnson in the senate, on the 19th of December, that the northern democracy would, on the soil of South Carolina, oppose him and every one else who dared wish to prevent the brave, chivalrous state leaving the Union or to refuse it its constitutional equality of rights.[2]

These prophecies were not entirely baseless. In the great cities of the east, there were elements to be found of whom it might be confidently expected that they might, under

[1] The future president of the Confederate States was assured by a former president of the Union that "the fighting will not be along Mason and Dixon's line merely. It will be within our own borders, in our own streets, between the two classes of citizens to which I have referred. Those who defy law and constitutional obligations will, if we ever reach the arbitrament of arms, find occupation enough at home." Franklin Pierce to Jefferson Davis, January 6, 1860. Goodwin, The National History of Secession, pp. 308, 309.

[2] Congr. Globe, 2d Sess., 36th Congr., p. 143.

certain circumstances, be spurred on to no insignificant attempts to verify them to the extent of endeavoring to frighten public opinion into subjection, and tying the hands of the legal authorities. The most influential leaders of the south, however, did not ignore that the support it might hope to find from these elements would be too weak, even in the most favorable case, to be able to force the northeast to confine its resistance to secession to impotent protests. They thought the "fanaticism" of the New England states capable of anything, and how far they would be able to carry New York and even Pennsylvania with them they considered at least doubtful, high as they estimated the forces which in those states would oppose carrying the controversy before the forum of the *ultima ratio* of national life. There were, indeed, some who thought that the complete "isolation" of New England could be easily attained. Ten days after Lincoln's entry on the duties of his office, ex-President Tyler demonstrated to the Virginia convention that New Jersey, Pennsylvania and New York must join the southern confederacy; that the latter would thereby obtain the majority, and that finally, if it acted wisely, it might again have the Union with the right to the sceptre and the crown.[1] Not many, however, showed such a want

[1] "I want the government of the whole Union, sir; and you can acquire it if you pursue a wise and determined course of policy. New Jersey will not stay an appendage to a northern confederacy. You cannot fasten her to the north, and what is there to induce Pennsylvania to remain? . . . Let me tell him (Cochrane of New York) that his own great imperial city of New York cannot stay where she is. The south is her natural ally, and she must come with us.

"And now what result may be anticipated? I say to you here, play your part properly; open your eyes and take a full expansive survey of all the circumstances that surround you. What will you have done if you get three or four of the free states and all the slave states to go with you? What becomes of Mr. Lincoln's general government? Why, you constitute a majority of the whole number of states; and if a ma-

of judgment. The number of those was somewhat greater who had convinced themselves that the reorganized Union might be made to embrace twenty-four states; New England and New Jersey alone would have been cast off, and left to their deserved fate, to meet with certain ruin by the diversion of all the sources of their well-being.[1] The somewhat more modest expectation that the sundered part of the Union would embrace only the free Atlantic states, and that the entire west would go with the slave states, was entertained by quite a considerable number. Some among them felt so sure of the west that they supposed it would be harder to keep it away than to win it over.[2] But only a minority yielded even to this allusion. A great majority believed they might assume with certainty that the west would enter a peremptory veto against the employment of force.

These views on the probable attitude of the west were not to be traced back to the illusion that the majority of the people in that section had any very warm sympathy with the south in the politico-constitutional question. The result of the presidential election made it all the more impossible for the south to give itself up to any self-delusion in this respect, as the votes of the Douglas democrats had now to be added to those of the victorious republicans. It was believed that there was question of a Must, and that was, in a certain sense, true. The west was, indeed, under a pressure that compelled it, and hence it was also true that the decision lay with it. As to the rest, the calcula-

jority power means anything, it means that you are entitled to the sceptre and the crown. The government becomes yours most decidedly." Tyler, Letters and Times of the Tylers, II, p. 627.

[1] See the article of Major W. H. Chase, of Pensacola, Fla., in De Bow's *Southern Review*, January, 1861.

[2] R. B. Smith, An Address to the Citizens of Alabama on the Constitution and Laws of the Confederate States of America, p. 20.

tion, so far as it went, was right; but it was only half of the calculation, and in consequence of the absence of the other half, a result was reached diametrically opposed to the right one.

The entire calculation was based on the Mississippi. The immense river-system makes the whole interior of the states a natural, firmly-knitted unit. A glance at the map suffices to convince one that the west cannot dispense with these highways of trade. Experience had proved this more than seventy years before, while the Indian and the buffalo still divided the actual possession of by far the larger portion of that vast region. The Kentucky question was older than the constitution, and its history had forced rather urgently upon the minds of the American statesmen of those days the recognition of the fact that the free navigation of the Mississippi was a question of life and death to the backland.[1] And during the two generations that had since passed it had not ceased to be so. What it had then meant to Kentucky it now meant to the whole region designated the west.[2] But the more important the freedom

[1] According to the new work (1889) of J. M. Brown, The Political Beginnings of Kentucky, Kentucky's ogling of Spain was not so bad as it appears in Marshall's History of Kentucky (1812). But whether Brown does not paint in too bright colors may be questioned.

[2] Ashmore, of South Carolina, had said on the 1st of March, 1860, in the house of representatives: "The great northwest will not go with you. Its people, sir, are more identified with the people of the south than they are with the people of the north. The magnificent rivers that flow through their limits and through our own limits join us in bands of unity stronger than 'hooks of steel,' and which cannot be broken at the mere bidding of the north." Congr. Globe, 1st Sess., 36th Congr., p. 959. In the speech of R. B. Smith, quoted above, we read: "As sure as the Mississippi flows towards the gulf, and bears on its bosom the great commerce of the west— and as sure as we are consumers of western products and our tariff will be lower than that of the United States, so sure will the trouble be, not to have the west with us, but to keep it from us." Foote, of Mississippi, still believed, in January, 1863,

of the river was to the west, the less probable it was that the expectations of the secessionists, with respect to a veto on the employment of force, would be realized, for the less disposed that section would be to allow that freedom to depend upon a foreign power. Speakers and newspapers, indeed, gave the assurance over and over again, that the free navigation of the Mississippi would be conceded and guarantied to the west, if it demeaned itself properly. Hunt, however, pointedly remarked that that reminded him strongly of the burglar's invitation to the master of the house he had broken into, to accept a seat at his own table and enjoy its delicacies with him.[1]

In another and still more material respect, the secessionists saw only one side of the question, and left the other and more essential one out of consideration. The proposition that the Mississippi had now the importance for the entire west that it had had in the eighties of the last century for Kentucky, was true only in the sense that the freedom of the river was a condition of the economic life of the region. While the absolute importance of the trade upon it had increased immensely, its relative importance had diminished. Now the trade on the river-system occupied the second place, while originally it had held the first so strongly that it would be no exaggeration to describe the streams as the only means of transportation for trade from a distance. The Mississippi, in which they united,

that the west might be induced to have nothing to do with the war, by offering it the free navigation of the Mississippi. The *Confederate* went much farther. It believed, or at least pretended to believe, in its commentary on the resolution on the subject introduced by Foote, that, by this question, the west might be compelled to undertake the most odious obligations to the south not only with regard to the New England states but also with regard to the whole accursed New England race. See the *Confederate*, No. 12, pp. 98–100.

[1] E. B. Hunt, Union Foundations, p. 36.

was, therefore, at that time, the one great water highway on whose unobstructed flow the whole system entirely depended. This state of things had, since that time, changed, so that now the trade on these streams was far inferior to the shipments to and from the east over the railways, over the great lakes, the canals and the Hudson.[1]

The secessionists were, therefore, very greatly mistaken when they understood the saying that the Mississippi question exercised a coercing pressure on the west, to mean that the south could exercise, by its means, a coercing pressure on the west. The freedom of trade on the river was of even greater importance to the south than to the west. The latter had already other avenues for its

[1] "The number of tons of western produce annually at tide-water over these routes (Erie Canal, New York Central Railroad, New York & Erie Railroad, Pennsylvania Railroad, Baltimore & Ohio Railroad) exceed twice the number of tons of all kinds of produce delivered at New Orleans, and considerably exceed the same in value." The Effect of Secession upon the Commercial Relations, etc., p. 35. "Reducing the flour to bushels, the total number of bushels of grain received at New Orleans was five million six hundred and eighty-seven thousand three hundred and ninety-nine against seventy-one million three hundred and eighty-four thousand one hundred and forty-three received at tide-water over the New York lines, or at least eighty-five million bushels over all the five great eastern outlets. The tons of animal food received at New Orleans the past year (1860) was ninety-five thousand seven hundred against four hundred and thirty-seven thousand seven hundred and fifty-nine by the New York routes, or, adding the tonnage of animal food brought by the Pennsylvania and Baltimore & Ohio Railroads, against, probably, five hundred and twenty-five thousand tons on the five eastern outlets of the great valley. . . . The produce received at New Orleans came almost entirely from the southern states — the flour from St. Louis and the corn and bacon from Kentucky and Tennessee. It is not probable that one-fiftieth of the total exports of grain from the northwest went down the Mississippi. Of other articles of export, wool, lumber, butter, cheese, hides, etc., no portion whatever is sent down the Mississippi — the whole going directly to the eastern states." Ib., pp. 38, 39. See, also, Hunt, loc. cit., pp. 38 ff.

trade, and might continually increase them to the extent required, for it had been demonstrated that the railways were in a condition to compete successfully with the water highways. The south, on the other hand, if it closed the Mississippi, would shut out not only the products of the west which it needed itself, but would compel the same products — and ultimately perhaps even its own — to seek their destination or the sea by other routes. But trade has the same tendency as a stream which by some accident has been suddenly forced into a new bed: it digs it deeper and wider, and hence it becomes more difficult, day after day, to lead it back into the old one. The tying up of trade on the Mississippi, by secession, might readily come to mean, for the south, not a momentary sacrifice, but a heavy and permanent loss.[1]

[1] There were people in the north who now thoroughly recognized this. "It may be assumed that the cotton grown in Tennessee, a portion of Alabama, all Mississippi and Arkansas and a part of Louisiana, can be delivered at Cairo as cheaply as at New Orleans. From Cairo to New York, $4 a bale, or $16 a ton, would afford a fair business to the carrier. From New Orleans to New York, by the outside route, including charges at the former place, and insurance, the rate cannot be estimated at less than a cent to a cent and a quarter per pound. In favor of the interior route is time, climate and uniform health. There is now annually consumed in the northern and eastern states nearly one million of bales. Our manufacturing establishments are already receiving large amounts through the interior routes, which will be steadily increased till the greater part consumed reaches them in this manner. All the railroads connecting the interior with the eastern states are making extensive provision for this new traffic, which is certain to be secured by our method of low charges, and by the great advantages which New York, Boston and Philadelphia present at the ports of shipment. If, as now appears certain, New Orleans follows in the wake of Charleston, that port will be speedly closed. . . . With secession the day of her commercial greatness is past. Hereafter, the trade peculiar to her must flow north. From the present year, shall we number cotton received through our interior routes as an important item in our exports. Once gained, it is a business we shall never lose.

The secessionists had also left out of their calculation the fact that the words: Man lives not by bread alone, is as true of nations as of individuals. So far as all ideal interests were concerned, the connection of the west with the rest of the civilized world was established, in a hundred times greater degree, by the highways that led to the east than by the Mississippi. These, too, were ties that, as Ashmore, of South Carolina, had said, bound more firmly than hooks of steel. He who thought that the west was not aware of this, or would not take it into account as against an outlet for its corn, wheat and pork, did not know the west. Little as it might have to show of certain refined forms of idealism, that other kind, which finds expression in mighty deeds, when there is need of them, was deeply rooted in its people.

The west's joining the confederacy was, therefore, entirely out of the question, for, in a material as well as in an ideal respect, it was bound to the east incomparably more firmly than to the south by the Mississippi river-system and the Gulf of Mexico. In what related to that connection it could not allow itself to be driven back into the position of a party that was merely endured, but had to assert its present position as a party possessed of inviolable rights of its own. Nor could it surrender the like position in relation to the south, for not all that the wit and the power of man might do in the creation of artificial high-

With it we shall sweep the trade of the whole interior. Already are the railroads of the western states and the connecting lines to the eastern glutted with freights which, up to the present year, went down the Mississippi to New Orleans. There is no doubt that the trade, both foreign and domestic, of the great eastern cities, the present year, will exceed in amount that of any one in their past history. They will retain all they had, while secession will hand over to them the greater part of that which in times of peace had concentrated itself in the cities of the Gulf and the Lower Mississippi." The Effect of Secession upon the Commercial Relations, pp. 40, 41.

ways could in the least change the fact, nor offer full compensation for it, that nature has made a unit of the country between the Rocky Mountains and the Alleghanies, from the northern boundary of the Union to the Gulf, the arbitrary division of which would sow the seeds of eternal discord among its inhabitants.[1]

It was therefore as the slave-holder, Crittenden, had irrefutably demonstrated as early as 1858,[2] absolutely imperative that the west should risk its last man and its last dollar for the Union, because the existence of the Union was for it, in the strictest sense, a matter of life or death. What Governor Morton, of Indiana, had said was indisputable: "If it was worth a bloody struggle to establish this nation, it is worth one to preserve it!"[3] but it was far from being the whole truth. Not to have established the nation because it could have been established only at the cost of a bloody struggle would have involved no guilt; it

[1] See Partridge, The Making of the American Nation, pp. 174–177.

[2] Congr. Globe, 1st Sess., 35th Congr., p. 1816: . . . "How many men are there that you have found in that region who countenance for a moment the idea of disunion? They are all of one mind — instinctively of one mind. . . . If there was a division between north and south, the west might be excluded entirely from going to the markets of New York or going to New Orleans without being subject to tolls and taxes; and could that be borne? . . . We want all these accesses. In our very position there is a local, a natural, a destined patriotism so far as the Union is concerned. We must be found in it."

[3] Speech of November 22, 1860, in Indianapolis. The New York *Tribune*, December 1, 1860. The speech calls attention very forcibly to the reasons which left the west no choice. It is more significant, however, for the manner in which it insists that it would be a much smaller misfortune if South Carolina achieved its independence by force than if it were allowed to depart in peace. Only in the latter case would a legal precedent have been created, and that had, above all things, to be avoided. If the right of secession were recognized, Louisiana would in a certain way be made the lord of the economic life of all the states of the Mississippi valley.

would have been only the letting slip of a great opportunity; but now that it had been rightfully established, and had been a fact for almost three generations, not to pay any price to preserve it would have been an unpardonable sin of omission. The west — whatever a part of its politicians may have thought, said and done, while the right of secession still seemed an academic question — could not become guilty of it, for its people felt not only that nature had predestined the immense region to be one complete social and political community, but that, under the protection of the order of things that had hitherto prevailed, powerfully helped by the modern means of transportation, it had already so far fulfilled its natural destiny that the shattering of the structure would have been a crime against humanity, and almost impossible. The endeavor to destroy it, in order to maintain and perpetuate slavery, would have been the greatest and guiltiest attack on civilization recorded in the history of the world.

Although this was not clearly recognized in Europe at the time, the nations felt it instinctively, and, as a consequence, one of the principal factors in the calculation intended to prove the impossibility of overcoming secession by force of arms was eliminated.

As early as the 9th of November, Mullins had stated in the legislature of South Carolina that he knew from the most undoubted source that the representative of one of the great European powers had, in view of anticipated secession, opened negotiations looking to an agreement with the state securing to it the satisfaction of its increasing demand for cotton.[1] The news, notwithstanding the good source it was said to come from, was presumably not true. It showed, however, what certainly was felt, that the cause of secession — even if in great part only for selfish reasons—

[1] Greeley, The Amer. Confl., I, p. 335.

would find the warmest sympathy in Europe. With respect to many governments, as well as to the highest class of society in most European countries, this expectation was by no means baseless. The aristocracies of the old world had always felt themselves drawn more to the southern aristocrats than to their northern democratic brethren, and that they felt so was only natural. Besides, it must have afforded them and their governments heartfelt satisfaction to be able to point out to their own democratic elements, to what republicanism and radical democracy must, sooner or later, lead; and the deterrent example bore, perhaps, good fruit. Both humanity and religion forbade the wish that the people of the two sections of the country should tear one another to pieces in a civil war; a feeling of ease at the collapse of the colossus by which, at a conceivable time, European countries must be outflanked, was, however, only human. The latter also might expect a great, direct advantage from the catastrophe, as the southerners would, doubtless, have duties for revenue only, because, in accordance with the nature of their whole economic life, they would remain true to their free-trade principles. But lastly, and above all, the cotton produced by them was an urgent and universal want. Cotton was a factor with which the politics of all western civilized nations, and especially the most powerful of them all, had to reckon. It was the groundwork of the whole calculation of the secessionists as to the position Europe would take in the struggle.

Hammond, of South Carolina, had said in the senate on the 4th of March, 1858: "What would happen if no cotton was furnished for three years? England would topple headlong, and carry the whole civilized world with her. No, you dare not make war upon cotton. No power on earth dares to make war upon it. Cotton is king. Until lately the Bank of England was king; but she tried to put her screws, as usual, the fall before last, on the cotton crop, and

was utterly vanquished. The last power has been conquered. Who can doubt, that has looked upon recent events, that cotton is supreme?" Mann, of Georgia, considered one-third of the time given by Hammond sufficient to make England fall whining on her knees. "In one year from the stoppage of England's supply of southern slave-grown cotton, the chartists would be in all her streets and fields, revolution would be rampant throughout the island, and nothing that is would exist." Wigfall, of Texas, made still shorter work of her. "If we stop the supply of cotton for one week, England would be starving. Victoria's crown would not stand on her head one week if the supply of cotton was stopped; nor would her head stand on her shoulders."

Not because their assertions had been made so long in the secessionist papers and by secessionist speakers, in endless variation, but because there was plainly a great deal of truth in them, should the republicans not have doubted that they were held to be true to their full extent, and that the secessionists, therefore, considered it simply self-evident that Europe, and especially England, would, in a short time, be obliged to support the confederacy of the southern states, if the north made a serious effort to reduce them to subjection. Yes, a frightful amount of truth! As the war broke out in the spring, when the last year's crop was already in the hands of the dealers and manufacturers, a week and even a few months were not sufficient to bring the cotton industry to a standstill. But in the summer of 1862, the old stocks and a little of the new crop that the blockade runners had been able to carry over the ocean were used up. The great factories were closed one after another, and it was not long before the number of persons out of work increased by thousands. Private beneficence and the public means that could be disposed of under existing laws were no longer sufficient to stem the tide of misery. Parliament was obliged to interfere by legislation

in order to open up new sources of relief to the most severely afflicted districts and to oblige the other parts of the country to come to their aid. Despite all this, their wretchedness grew in gigantic and horrible proportions. Vast as was what the richer classes accomplished by self-taxation and what the public authorities did to feed half a million of people who had been supporting themselves by their own labor, and protect them against the winter cold, it was a task to which even wealthy England with all her public spirit and all her charity was not equal. Here and there, at least, it almost seemed a question whether the very poorest could be saved from death by starvation.[1]

[1] " . . . In July, 1862, the large (cotton) manufacturers began almost universally to close their mills, and the distress was already so great that parliament found it necessary to authorize the poor-law unions to borrow money, and to assess the excess of rates in the manufacturing districts upon the other unions of the county. The poor-rates had risen before the end of the summer from ninepence in the pound sterling to ten shillings, and in some unions even thirteen shillings in the pound, and this, too, when the property-holders, owing to the distress of their tenants, could not collect their rents, and were consequently unprepared for such a burden. On the 1st of October, 1862, of the four hundred thousand operatives of Lancashire, two hundred and ten thousand were entirely out of employment, and most of the remainder were working on short time, with the prospect of being entirely out of work before Christmas. On these two hundred and ten thousand unemployed workmen, at least as many more persons, their wives, children and other relatives, were dependent. On the 1st of December, 1862, at which time the famine had reached its culmination, there were two hundred and forty-nine thousand eight hundred and thirty-six persons receiving parish relief in fifteen poor-law unions of Lancashire, in which, in ordinary times, not over thirty-six thousand received aid; and in Lancashire and Derbyshire fully half a million of persons, whose earnings in ordinary times were not less than $1,500,000 to $2,000,000 per week, were wholly dependent upon charity for support, and very many actually perished from starvation, or the diseases induced by it. In Glasgow, Paisley and other manufacturing towns of Scotland, and in Belfast, Ballymena, Lisburn and other places in Ireland, the suffering was little if at all less than in Lancashire." Report of the American

And yet the secessionists had calculated wrong. John Bright was able to say, in Birmingham, on the 18th of December, 1862: "There has been every effort that money and malice could use to stimulate in Lancashire, amongst the suffering population, an expression of opinion in favor of the slave states. They have not been able to get it."

All logical deductions from the doctrine of state sovereignty were lost on the English workmen. They had no understanding for these constitutional subtleties. Their sound common sense told them that secession was rebellion, and no sophistry could talk them out of the idea that the sole ground of this rebellion was slavery, and they preferred going hungry to buying their bread by siding with slavery. The eminent moral strength that this required they found not in their moral and religious convictions alone, but, to no small extent, in the feeling that the north was fighting for them, since the cause of free labor in all Christian, civilized states must be the common cause of all of them. And this instinctive conviction was powerfully strengthened by the fact that the Americans, notwithstanding the enormous demands which the war made on them, furnished very considerable means to assist them in their really heroic struggle, and to make it possible for them to continue it.[1]

This attitude of the English workmen is one of the great deeds of the world's history, and as such it may also be

International Relief Committee for the suffering operatives of Great Britain, 1862–63, pp. 6, 7. John Bright said in a speech at Birmingham, on the 18th of December, 1862: "Nearly five hundred thousand persons,— men, women and children,— at this moment, are saved from the utmost extremes of famine, not a few of them from death, by the contributions which they are receiving from all parts of the country" Speeches of J. Bright, M. P., on the American Question, p. 69.

[1] See the details in the report of the American international relief committee. The total value of the products, flour, meat, etc., sent is given at $350,000. Page 72.

characterized in view of its effects; for, despite Seward's masterly diplomacy, it is probable that a comparatively slight pressure from that quarter would have sufficed to permit the realization of the expectations which the secessionists had based on the cotton question.

Cotton was, indeed, a mighty power, but cotton was not king; and the error of calculation made by the secessionists as to its importance for the north was incomparably greater than the over-estimation of the pressure which it might be made to exercise on England. The first thing to be affected by it in the north was not, as in England, industry, but trade — including in the term transportation by land and water. The number of those in the north, therefore, who would find themselves immediately without bread, if no more cotton could be obtained, was comparatively small. True, a great many in the humble walks of life saw, unless the conflict itself opened new avenues of gain to them, that they would have to strain themselves a little more to earn a livelihood; but for the most part they did not have to fear hunger. The blow fell mainly on capital, and a considerable number of the capitalists that felt it could only suffer a larger or smaller loss, for bankruptcy did not stare them in the face. To expect the economic ruin of the entire north from the destruction of the cotton trade was an absurdity of which only men could be guilty whose head and heart were too full of great and vague generalities to be able to let themselves down to the petty labor of examining and comparing sober figures. Even New York, the northern emporium of the cotton trade, would have lost only one of the many pillars on which its economic prosperity rested, if cotton disappeared in a single night and forever from the soil of the United States.[1]

[1] "New York enjoys a business of fourteen hundred millions of dollars, of which two hundred come from the five cotton states. If the whole of the charges and profits be taken into account, so far as they

The secessionists, however, had in view, in their calculation, not merely the elements of wealth directly in question, and which were important enough to warrant them in believing that great efforts and sacrifices would be made to prevent their imperilment. They thought the hands of the north would be bound by the knowledge that if it surrendered the advantages of its economic connection with the south, it would, by so doing, throw away the props which had hitherto artificially supported its entire economic system. Only by the excessive profits which it had hitherto drawn from that trade had the conflict between capital and labor been avoided; they must infallibly come into collision with one another if the cost of a war were added to the sudden loss of this gain. Slavery was always, but especially in war, an inexhaustible source of strength,[1] because capital and labor were in one and the same hand, that is, because labor was the property of capital. The republic of slave-holders could put an incomparably larger number of men in the field, for, if the very last white man capable of bearing arms stood before the enemy, the necessary labor would go on undisturbed; the slaves working under the superintendence of the old and infirm would support the army. A war could not seriously injure the south. In the north, on the contrary, every man who donned a uniform was withdrawn from productive labor, and, hence, only a vastly smaller percentage of its population could be called upon to bear arms.[2]

inure to New York, including freights, the income resulting to that city on that business exceeds two hundred and eighty millions of dollars — a sum far greater than the gross value of the whole cotton crop of the United States, and double the gross value of the cotton crop of the five states." The Five Cotton States and New York, p. 28.

[1] "The institution," writes the Montgomery *Advertiser*, in March, 1861, "is a tower of strength to the south, particularly at the present crisis."

[2] *l. c.*

Moreover, the workman who is his own master would not, at the beck of politicians, fall on those from whom he really drew his daily support.[1] He would, indeed, make use of his fists, but only against those whose unreasonable and vile policy had deprived him of bread. "I have but little doubt,' said Alexander H. Stephens, a prudent and comparatively sober-minded and moderate man, "that the north will go into anarchy."[2]

The more the south had become accustomed to slavery, the more it had lost the power of understanding the order of society based on free labor. Because only stagnation guarantees quiet, it was thought that strength lay in it only, since it alone afforded security. This was true in so far as the struggle between capital and labor cannot be avoided where labor is a factor with recognized rights, and, as a

[1] "Will the millions who will be thrown out of employment at the north, because of a cessation of intercourse, commercial and political, between the sections, rush to the conflict? Will the strikers for higher wages wage war against their best friends and customers? Look at the scenes now being enacted in the manufacturing towns and villages of the north. Is there anything favorable for you there? Will those men, at the beck of politicians, march south to butcher those who furnish them the means of their subsistence? If they would go into the conflict, where are you to obtain your revenue to support a war? Have you four million laborers who will tamely submit to the tax that we can in the south lay upon our slave laborers with perfect impunity, in order to meet the exigencies of the times? You have not. Your free labor, as you call it — but which is in fact the slave of capital — will not bear it. The south exports annually about two hundred millions of her products, and her imports for the last fiscal year were less than eighteen millions; while, on the contrary, that of the north was $241,000,000. Suppose your imports were to remain the same, where are you to find a market for their sale if the north and south are separated from each other by an impassable barrier, and their people stand confronting each other in battle array, with armed thousands in the field?" Ashmore, March 1, 1860. Congr. Globe, 1st Sess., 36th Congr., p. 959. See, also, the Richmond *Examiner* of April 16, 1861.

[2] Johnston and Browne, Life of Alex. H. Stephens, p. 402.

general rule, this struggle is begun more easily and is more violent in times of economic crises. But strife also generates and develops force, and, in the case before us, to expect labor to take sides with the slavocracy, against capital, was to reverse the natural order of things. However capital and labor might look at one another or settle their differences in other cases, in this one, if capital turned against slavery, it certainly had not to fear an attack in the rear from labor, for labor stood in the front rank. With freedom of movement and self-determination it had grown intelligent enough not to look at the present moment only, and hence it was also clearly conscious that its material interests were not in conflict with the moral powers, but would be served better in proportion as the latter were obeyed.

Still this reference to internal confusion in the north which must be the consequence of war was, in part, a warning prompted by what was left of fraternal feeling, but was in part also dictated by conscious contempt. Yet, in the opinion of the secessionists, there was no need of this to prove that the attempt to keep the south in the Union by force of arms would be folly. "But, sir, there is to be no war," said Iverson, in the senate, on the 5th of November. "The northern states are controlled by sagacious men, like the distinguished senator from New York (Seward). Where public opinion and action are thus controlled by men of common sense who know well that they cannot succeed in a war against the southern states, no such attempt of coercion will be made."[1] One might doubt what weight was to be attached to the ordinary rodomontades; but this cool certainty bore, unmistakably, the stamp of the deepest conviction. Townsend, in the speech at St. John's Colleton already cited, had characterized as "simply ab-

[1] Congr. Globe, 2d Sess., 36th Congr., p. 11.

surd" the idea that the south could be overcome.[1] It was self-evident that it must win. All proof was superfluous. Even the coolest and sharpest minds represented it as an axiomatic truth, and hence could not, despite their better instinctive knowledge, be persuaded to give up the delusion that a serious attempt at subjugation would not be made. On the 4th of May, Alexander H. Stephens wrote to his brother, Linton: "I am prepared for and expect a long and bloody conflict. . . . I have never believed that a separation of the states of the old confederation would take place without a severe conflict of arms;"[2] and yet he had written to R. M. Johnston on the 19th of April: "The idea of Mr. Lincoln to urge a general war of subjugation against us seems too preposterous for a sensible man to entertain. But what his real designs are, I suppose it would be difficult to imagine."[3]

Where people condescended to give reasons why subjugation was impossible, the one assigned by the New Orleans *Crescent* of the 16th of November was sufficient, viz., that, considering the elements of which congress was made up, two years at least would be required to pass the laws and make the appropriations of money which would put Lincoln in a condition to carry on the war. "By the expiration of that time, and long before, we would be in a condition of absolute independence."[4] Only those fools, thought the secessionists, could draw the sword who looked upon the course of things as the New York *Times*, the Chicago *Tribune* and the New York *Tribune* afterwards

[1] Ib., p. 18.

[2] Johnston and Browne, Life of Alex. H. Stephens, p. 401.

[3] Ib., p. 397.

[4] It adds: "Coercion, however, is not possible under any circumstances if we unite ourselves together as a band of brothers. Nor will it be attempted. Even the abolitionists are too sensible to be guilty of such an act of unmitigated absurdity."

prognosticated it, in a few caustic words: Thirty days' time to settle the business — of the seventy-five thousand men called for by Lincoln, twenty-five thousand to be kept in Washington, because there was no employment for them; the east to stand aside as a spectator: it was the west's affair; it would take care of the little war alone, and hang Jeff. Davis & Co. in Washington in celebration of the Fourth of July.[1] The earliest demonstrations that this could not be done would lead them to understand that the north could carry on no war. Was there not something ridiculous in its allowing its "counter-jumpers" and "mudsills" of every description to cope with the "chivalry" of the south? "It is a gross mistake," wrote the Charleston *Mercury*, "to suppose that abolitionism alone is the cause of secession between the north and the south. The cavaliers, Jacobins and Huguenots who settled the south naturally hate, contemn and despise the Puritans who settled the north. The former are master races, the latter a slave

[1] "Let us make quick work. The 'rebellion,' as some people designate it, is an embryo tadpole. Let us not fall into the delusion, noted by Hallam, of mistaking a 'local commotion' for a revolution. A strong, active pull together will do all our work effectually in thirty days. We have only to send a column of twenty-five thousand men across the Potomac to Richmond, and burn out the rats there; another column of twenty-five thousand to Cairo, seizing the cotton ports of the Mississippi, and retaining the remaining twenty-five thousand included in Mr. Lincoln's call for seventy-five thousand men at Washington, not because there is need for them there, but because we do not require their services elsewhere."

"Let the east get out of the way, this war is of the west. We can fight the battle and successfully, within two or three months at the furthest. Illinois can whip the south by herself. We insist upon the matter being turned over to us."

"The nations of Europe may rest assured that Jeff. Davis & Co. will be swinging from the battlements of Washington at least by the Fourth of July. We spit upon a later and longer deferred justice." Cited in Harris, A Review of the American Conflict, pp. 241, 242.

race, and descendants of the Saxon serfs."[1] Yes, the population of the two sections were different races, and the whole history, all the essential qualities of these two races, excluded every doubt as to which of them in a war — and in such a war — would be the victor.[2] Of what use to the

[1] Elements of Discord in Secession, p. 11.

[2] The battle of Bull Run increased the conviction of the inborn superiority of the southern race beyond all bounds. The Richmond *Whig* wrote: "The rout and dispersion, at the great pitched battle near Manassas, bring into bold relief the great fact that the Yankees are humbugs, and that the white people of the slave-holding states are the true masters — the real rulers of this continent. . . The breakdown of the Yankees, their utter unfitness for empire, forces dominion upon us of the south. We are compelled to take the scepter, and it is our duty to prepare ourselves to wield it with dignity and effect. We must adapt ourselves to our destinies. We must elevate our race, every man of it — breed them up to arms — to command — to empire. The art military should constitute a leading part of every white man's education. The right of voting should be a high privilege to be enjoyed by those only who are worthy to exercise it. In a word, the whole white population of the south should be brought into a high-toned aristocracy, duly impressed with a sense of its superiority to Yankee trickery, and of its own functions, and its obligation to freedom and civilization." American Civil War, Correspondence with H. C. Carey, pp. 11, 12. And the Louisville *Courier* wrote: "We are not brothers of the Yankees, and the 'slavery question' is merely the pretext, not the cause, of the war. The true 'irrepressible conflict' lies fundamentally in the hereditary hostility, the sacred animosity, the eternal antagonism, between the two races engaged.

"The Norman cavalier cannot brook the vulgar familiarity of the Saxon Yankee, while the latter is continually devising some plan to bring down his aristocratic neighbor to his own detested level. Thus was the contest waged in the old United States.

"As our Norman kinsmen in England, always a minority, have ruled their Saxon countrymen in political vassalage up to the present day, so have we, the 'slave-oligarchs,' governed the Yankees till within a twelve-months. We framed the constitution, for seventy years moulded the policy of the government, and placed our own men, or 'northern men with southern principles,' in power.

"On the 6th of November, 1860, the Puritans emancipated themselves,

north was its money, its larger population, its industry? Time was the indispensable requisite to make these forces felt, and during the time which must elapse before they could be turned to account, the warlike superiority of the

and are now in violent insurrection against their former owners. This insane holiday freak will not last long, however, for, dastards in fight, and incapable of self-government, they will inevitably again fall under the control of the superior race. A few more 'Bull Run' thrashings will bring them once more under the yoke, as docile as the most loyal of our Ethiopian 'chattels.'" Elements of Discord in Secessia, p. 12.

In the case of a great many Fire-eaters the "natural hate" and "natural contempt" of the "Yankees" finally rose even to beastly rage, indistinguishable from downright insanity. The pen recoils from the description of such things, but the picture would not be a faithful one if these shades were entirely wanting. I have thought it incumbent on one to give at least a few examples in a note. I take them from the *Confederate*, partly because of the steady growth of its villification. In its first number the difference of race is established after the manner of the foregoing quotation. In the second we read:

"The great principle of all Yankeedom — immeasurable avarice;" "the unfathomable baseness of Yankee character;" "for they (the Yankees), too, like plague, pestilence and famine, the simoon, the tempest and the earthquake, and other scourges of humanity, have a history — a history filled with the outrages they have committed upon society, and written in the tears of their helpless and hapless victims." Number 3, entitled the "Pilgrim Fathers in the Mayflower," "the progenitors of that infamous and beastly race whose fitting ruler is the 'Ape Lincoln,' and whose living incarnation is the 'Beast Butler.'" In the last number we read: "No peace, no truce, no armistice, but open, unsparing war, until these pests of society and bane of the whole human family, disabled, crushed, paralyzed, impotent for evil, are wholly confined to their own barren hills, and within their own rock-bound coast. For my own part, I would willingly see them, in the language of their pet, Butler, 'exterminated;' but this, I am well aware, is impracticable. The leviathan of the sea, the behemoth of the land, the king of the forest, may, but worthless vermin never can, be exterminated." The concluding words were: "They (the Yankees) will be recorded in history and remembered by prosperity as the Ishmaelites of Europe, the Bedouins of civilization, the Pharisees of Christendom, the disgrace of mankind, the dishonor of the Christian faith, the bane of

cavaliers would have brought about the decision. "England," exclaimed Jefferson Davis, in February, in a speech at Stevenson, Alabama, "will recognize us, and a glorious future awaits us; but the grass will grow in the streets of the cities of the north now alive with commerce, for we shall carry the war into the densely populated places where sword and torch find food."

Never was a people worse prepared for a great war. As to an army, so far as men were concerned, there was really nothing to speak of. Its sole employment was in frontier duty, and was sufficient only for that. The officers in active service were, in great part, southerners, and what was to be expected of them was soon seen. The northerners educated at the military academy at West Point who had entered civil life would not have sufficed for the most urgent needs, even if every one of them tendered his services to the government. What the militia had learned might easily prove a disadvantage, because they understood just enough of the trade of arms to believe that they were thoroughly versed in the military art. And not only was the population not schooled to war, but they had no liking for it. Their tastes and thoughts were all directed to works of peace. Both as individuals and as a whole, they had no longing for bloody laurels. They dreaded all war, and the idea of a civil war made them shiver to the very marrow of their bones. In addition to all this, the population were divided on the question which threatened to involve the country in war. Lastly, the executive, without any experience whatever, had first to create its entire administrative apparatus, and, for the most part, out of untried material, because the party had never yet been in possession of the national offices.

morality — *hostis humani generis* — the curse of society, and the enemies of the human race." The Confederate, by a South Carolinian, Mobile, 1862, pp. 9, 15, 100, 102.

It would, indeed, have been a wonder if the north had not been defeated at first. It would have been a greater wonder still if it had stricken its colors on that account. Not all southerners allowed themselves to be intoxicated by the victory at Bull Run. Alexander H. Stephens wrote, on the 19th of July, 1861: "I have no idea that the north will give it up. Their defeat will increase their energy."[1] That is what should have been said from the first. There was a grain of truth in what had been remarked about the different races. But if it was "madness" to consider the subjugation of the south possible, it was more than madness to believe that this northern race could be sent whining and scared into a corner with a single blow. Miles, of South Carolina, had asked, on the 6th of January, 1860, in the house of representatives, whether any one could seriously believe that the southern states would "stay whipped" if the north, at first, gained some advantage by overpowering numbers. "Is that characteristic of the Anglo-Saxon race? No, sir; they never stay whipped." It was a bold thing for the "cavaliers" to claim "Norman" blood for themselves alone; but even they were not bold enough to read the Anglo-Americans of the north out of the Anglo-Saxon race. Then did not what Miles had said apply to them also? Had they not shown often enough, in the new world as in the old, that they were an ore that became the best of steel through fire and blows? Not defeat, but only the consciousness of being in the wrong, could make the sword drop out of such hands, once it had been drawn. If the secessionists pulled it from its scabbard, they forced it into the hands of those at the north who had been willing to pay almost any price for the maintenance of peace. Precisely because the greater part of the northern population recoiled at the idea of war, it was certain that it would be

[1] Johnston and Browne, Life of Alex. H. Stephens, pp. 406, 407.

waged with frightful energy and persistence. That the north had, as a conservatively-minded northern writer afterwards said, gone "to the brink of infamy" in order to preserve the Union,[1] was the most irrefutable proof that it would do its utmost to restore it. The south was told this by men whose testimony it could not suspect. Amos L. Lawrence, one of the magnates of the Bell-Everett party, wrote to Crittenden, on the 29th of December, 1860, that nine persons out of every ten would laugh at the statement that blood would have to be shed, but that as soon as the south dealt a blow all dividing lines between parties would be obliterated, and that a day would suffice to make the whole northern population swarm around the standard of war.[2]

Opinions at the north differed as to whether the use of force was justifiable, but not as to the fact that there was no right of secession. The dissolution of the Union was, according to the all but unanimous opinion of the north, not a legal act. Therefore, the moment force was used by

[1] "The American people have not sought this war; they were led to the brink, not only of ruin, but of infamy, in the attempt to avoid it." The Civil War: Its Nature and End, Littell's Living Age, LXXII (1862), p. 144. The conservative views of the author are plainly evidenced by the fact that he speaks of the "slave interest in the restored Union."

[2] "Here, and through the whole north and west, nobody has thought of war or arms; not a musket or a pistol has been bought or sold for any civil strife. Nine out of ten of our people would laugh if told that blood must be shed. This condition of peace, which is conducive to calm reasoning and to reaction, may, and I fear will, be changed suddenly. The first blow struck, by any state or local authority, at the United States government will arouse and unite the whole northern people. Partisan faults will be forgotten, and no retroactive legislation can be accomplished. The secessionists seem to be ignorant of the powers which their meditated treason will give the government. Mr. Buchanan himself seems not to be aware of the strength of the government for the repression of rebellion. The destruction of his little force would bring out the warlike feeling in a day." Coleman, Life of Crittenden, II, p. 240.

the seceded states, the employment of force by the north, in the unanimous opinion of the population, would be only rightfully acting on the defensive, and the conviction would immediately manifest itself that right meant here imperative duty. Then, even in those who had most unconditionally opposed the right of coercion, all the moral powers would be again awakened into full energy. Their attachment and devotion to the Union would then assume the form of towering, gigantic, irrepressible passion which Garrison had branded in the republicans as "slavish subserviency to the Union."[1]

In one respect, however, the calculation of the secessionists was entirely right, and the whole population of the north, republicans as well as democrats, was in the greatest error: the subjugation of the seceded states, in order to restore the *old* Union, was impossible. The north, too, had finally to recognize this. But did it of necessity follow therefrom that it must give up the idea of restoring the Union? Was there not another possibility? Hunter, of Virginia, had asked on the 11th of January, 1861, in the senate, why the north, in order to save the Union, was not willing to grant what it would have to concede if it forced the south back into the Union, for, otherwise, that section would sink irredeemably into barbarism?[2]

This was the proclamation of the eternity of slavery, since the alleged necessity must grow greater, from day to day. On the other hand, Alexander H. Stephens had asked himself what was to come after secession had been successfully fought out, and found only the negative answer: real

[1] Wm. L. Garrison, The Story of His Life as Told by His Children, III, p. 449. This, too, had been foretold to the secessionists by the most competent people. See, for instance, the speech of S. S. Cox, of the 14th of January, 1861, in the house of representatives.

[2] Ib., p. 331.

and lasting peace between the two republics is impossible. Must not this question force itself on the north also, and would it not reach the same answer? And if it reached it, must that answer not remove its objection to the one thing which could restore the Union, insure lasting and real peace, and protect the south against barbarism?

It often takes a long time for nations to recognize that effects cannot be removed without doing away with their causes, and frequently a much longer time before they resolve to act upon the knowledge gained. But when their fight against the effects is justified, and when they engage in the struggle with their full moral energy, experience finally leads them to do so. As early as in January, 1860, when Crawford declared that the choice lay between union and slavery, McKean had replied to him, that if he told the north so, it would answer him without any difference as to party: "Then slavery must die."[2] And when Edgerton, of Ohio, a year later (31st of January, 1861), called out to the southerners in the house of representatives: "Gentlemen should know that the first blast of war will be the trumpet signal of emancipation,"[3] he was far from being right, if he was to be literally understood. But what Pottle, of New York, had said a few days before (January 25th), was true: "You leave us because we do not like your institution of slavery. Do you think it will increase our love for it to make it the cause of destroying the government, bankrupting our business, and slaughtering our people. These are not the incentives to love, but to fierce and uncompromising, unrelenting hatred — incentives which will lead to the determination to wipe out utterly and for-

[1] Ib., p. 331.
[2] Congr. Globe, 1st Sess., 36th Congr., App., p. 392.
[3] Congr. Globe, 2d Sess., 36th Congr., App., p. 129.

ever an institution which brings such evils upon us."[1] In the border states, many a one had recognized this well enough, and expressed it frankly. The guilty leaders of this damnable scheme of secession, wrote the Knoxville (Tenn.) *Whig*, deserve the scaffold, for "it will bring about the overthrow of slavery one hundred years sooner than the republican party could have done it."[2]

[1] Congr. Globe, 36th Congr., p. 571.

[2] "The effort to break up this government, led on by South Carolina, is a wicked, daring and damnable act, for which its guilty leaders ought to be ignominiously executed. This whole scheme of disunion is a more consummate abolition contrivance than ever was devised at the north by the most ultra anti-slavery men, and will work greater mischief to the slave population of the country. It will bring about the overthrow of slavery one hundred years sooner than the republican party could have done it." Congr. Globe, 2d Sess., 36th Congr., App., p. 270.

CHAPTER IX.

BUCHANAN AND THE NON-COERCION DOCTRINE.

In the last two chapters we did not consider the factor on which it perhaps depended how far the calculations of the republicans and democrats would prove right or wrong, and which might and must in the near future exercise the most direct and the greatest influence on the decision of this question. What did the federal executive think of the crisis which had been forced upon the Union, and what did it do to avert the catastrophe or to be able to meet it with success if it could not be avoided? The responsibility of the president was only a limited one, because his powers were limited, but it extended up to the very limits which had been assigned to these by the constitution and the laws. He was therefore responsible to the people for what he did and also for what he failed to do but could have done and should have done. To be fully conscious of this and to act accordingly should have been demanded of him all the more unconditionally, as at the time he was the incorporation of the public will of the Union expressed through the federal government, and until congress met there could be no action of that will with respect to the crisis, except through him. In other words, to the extent that he did not exercise the constitutional and public will of the Union with respect to the secession movement, full and free play was allowed it by the federal government up to the meeting of congress; and up to that same time, the exercise of that will by him, no matter how perverse it might be, could not be checked or corrected by any other federal power. True, only four weeks intervened between the choice of presiden-

tial electors and the beginning of the second session of the thirty-sixth congress; but the doings and omissions of each day now fell with terrible weight into the balance of fate. Even the greatest political insight would not now have sufficed to hit the right course in action and omission; that required, above all things, a character with the force necessary for a clear and firm initiative, on which peace and war, the existence of the state, and the weal and woe of the people for generations, depended. Hence, from the first, the only question was, how great the injury done by the federal executive in those four weeks would be, for the president's name was James Buchanan. If the damage he now did could be repaired at all, the American people might look upon that fact as the grandest and most wonderful manifestation of their "special Providence."

Even some weeks before the election, Buchanan's attention had been officially called to the disastrous consequences that must follow if he stood, with crossed arms, a mere spectator of the course of things. Scott, as commanding general of the federal army, had sent a memorial dated the 29th and 30th of October to the secretary of war, in which he expressed the fear that the slave states would endeavor, before secession, to obtain possession of the forts situated within their borders, and therefore declared it necessary to have the nine forts mentioned by him "immediately so garrisoned as to make any attempt to take any one of them by surprise or *coup de main* ridiculous." When the facts began to show the timeliness of these warnings and counsels, Scott considered it his duty to let the people know that no share of the responsibility for any fatal sins of omission should be laid at his door. He published the memorial[1] without receiving the consent of the president,

[1] In the *National Intelligencer* of January 18, 1861,— that is, after quite a number of states had seceded.

and even without having previously informed him of his intention. It was a keen blow, but the general had made it mournfully easy for Buchanan to deal him no less heavy blows in return. But both he and his biographer[1] have been able to do no more. The making of a well-founded counter-charge, however, is by no means, as they assumed, a justification. A great part of the counter-charge had no connection whatever with the question whether, and to what extent, the charge was well founded, and what was of any importance in it, so far as the decision of this question was concerned, at most diminished the gravity of the charge but did not disprove it. Here we can consider only what really bears the character of a defense, for the fact that Scott did what it was not his place to do, when he constituted himself, unsolicited, the political adviser of the administration, and that the counsel he gave — Scott was never remarkable as a peculiarly clear-headed man — was a wonderfully complicated piece of political and constitutional reasoning, should not, of course, as Buchanan's argumentation would evidently have one believe, be looked upon as decisive in passing judgment on his views on guarding the forts against attempts at surprise. In this question the general, so far as its military phase was concerned, was, by his calling, after the secretary of war, the nearest legal adviser of the president; and the fact that nothing was done to protect the forts had the most fatal consequences. On Buchanan, therefore, rested the full responsibility for these consequences, unless he could not follow Scott's advice. Actual inability — such was his only possible justification. Whatever else he might be able to adduce in defense of his conduct could, at best, be looked upon only as a proof that he erred neither from forgetfulness of duty nor from weakness, but from a want of political judgment. But he did

[1] Curtis, II, 279–314.

not succeed in proving even that.[1] A well-founded moral reproach doubles the frightful weight of guilt which he had loaded on his shoulders by his wrong political calculation. He thought enough of himself, in his narrowness, to remain honestly convinced to his dying day that he had brilliantly justified himself. But in reality he convicted himself of having entertained such erroneous ideas, because he had not the moral courage to do his duty.

Buchanan, indeed, claimed that Scott's suggestion could not have been carried out, and referred to the general's own declaration in his memorial that there were only four hundred men within reach. That these were not sufficient to garrison nine forts is indisputable, and it is besides highly questionable whether the president would, at the time, have been authorized to summon the militia for that purpose or to call for volunteers. But the mere assurance of the president is not sufficient to prove that it was impossible to draw some troops from the border posts. Many of them, indeed, but not all, were too distant if action was to be taken immediately; and if it was also true that the army[2] was scarcely sufficient for the border service, what were the dangers of an Indian sally compared to a rebellion of the slave states? It must, however, be admitted that the political effect of a denudation of the border posts of the necessary troops might cut two ways, and that it might not be advisable, on account of the small force that could be withdrawn from them, to decide in favor of so extraordinary a measure. But that does not by any means settle the question in favor of Buchanan. Whether the six hundred recruits in New York and Pennsylvania to which Scott afterwards referred were already available at the time, or

[1] Nor has Curtis succeeded in doing so, for he adduces nothing new. Buchanan's arguments are only still further spun out by him.

[2] "Numbering at that time not more than sixteen thousand men."

were afterwards to be "obtained," as Curtis claimed,[1] I cannot say. By what right Curtis thinks he can defend the president because the memorial speaks of only four hundred men, I cannot see. Was it not his duty to look about him and to know what forces were available, and why did he have a secretary of war? Besides, could the president not know, without being told so by Scott, that in this question the secretary of the navy had a great deal to say? And if all the nine forts could not be protected, why were not the most important at least protected as far as possible.[2] That something might have been done is proved by the measures subsequently planned by Buchanan, one of which, at least, it was endeavored to carry out. But according to his own testimony, he "dismissed them (Scott's recommendations) from his mind without further consideration," because of "the impracticable nature of the 'views,' and their strange and inconsistent character."[3] This is not the only passage, in Buchanan's defense, whose transparency reveals the wish that the reader should infer from it that the policy of complete passivity was not one he had freely chosen. But from his demonstration that the right thing to do was to do nothing, because he had neither the legal nor actual possibility of doing what the circumstances required, the very contrary follows, in the most undoubted manner. In the first place he laid stress on the fact that Scott's memorial had been written before the election, and before a single state had taken any actual step towards seceding.

[1] II, p. 301. It is surprising to me that Curtis does not say when they became available.

[2] Black, who as attorney-general was in a position to be informed of the possibilities, spoke as secretary of state of "the fatal error which the administration had committed in not sending down troops enough to hold all the forts (*i. e.*, in the harbor of Charleston). Objections to the draft of Buchanan's answer to the South Carolina commissioners. Crawford, The Genesis of the Civil War, p. 155.

[3] Mr. Buchanan's Administration, p. 104.

This might justify him in spending the one week in question calmly and quietly preparing for the menacing possibilities. But it is hard to conceive why it would not have been right to have taken measures to insure the safety of the forts, after the 7th of November, since his attention had been called to their necessity on the 29th and 30th of October. Such untenable arguments are wont to be advanced only when one is not himself convinced of the soundness of his reasoning: their number must supply their lacking weight.

In judging Buchanan's conduct, however, it is a matter of no importance whether or not the influence of Scott's advice might have been weakened by the fact that he had anticipated events by a week's time, for the president made the further unqualified assertion that the small number of troops at his disposal would have made the following of it an act of suicidal madness. He writes: "To have attempted to distribute these five companies among the eight forts in the cotton states, and Fortress Monroe, in Virginia, would have been a confession of weakness instead of an exhibition of imposing and overpowering strength. It would have no effect in preventing secession, but must have done much to provoke it."

At the first glance many circumstances might seem to confirm this view, but even before facts had demonstrated its erroneousness, it could, in no particular, stand a close examination.

If the four hundred men were divided among the nine forts, the end aimed at by Scott might not have been attained in the case of any of them. But, on the one hand, the general had only stated that nine forts were in danger, and that, therefore, to prevent their being taken by surprise, they should be sufficiently garrisoned; and on the other, he had stated that at the time he had only four hundred men at his disposal. He had not said that these four hundred

men should be divided among the nine forts. That was an inference drawn by Buchanan without any logical necessity. And even if it was Scott's intention that they should be divided among them, Buchanan did not need to follow him in that. The advisers given the president by the constitution and the laws should think for him, but not instead of him. The constitution made him the commander-in-chief of the army, and it was his duty to see that the general's advice, as far as it was "unpractical," was made practical. But if he did that instead of laying the memorial aside "without further consideration," the question could not but force itself on him whether at least the forts most in danger and politically most important — there was not the slightest doubt as to where these were located — should not be protected. Of course, four hundred men could not make an impression of "imposing and overwhelming strength" even on the people who saw them with their own eyes, to say nothing of the entire population of the slave states; but they were sufficient, especially if supported by a man-of-war, over and over again, to ward off any blow that South Carolina, in the then condition of its equipment, might aim at the forts in the harbor of Charleston. The sequel showed of what importance this might be from a military point of view. But that was the matter of least moment. Not the military but the political question was decisive. Even if it were as clear as the midday sun that not one of the nine forts could be protected, the president should have followed Scott's advice as far as possible; for the element of controlling influence in the further development of the secession movement, so far as it at all depended on the course of the federal government, was, not what it could do at the time, but what it was resolved to do now and in the future. It did not matter how much might be done to protect the forts, but it mattered much

whether or not what could be done was done; that is, whether a firm resolution was manifested by suitable measures to argue with lead and steel, if the fulfillment of the duties imposed on the government by the constitution and the laws required it. Its position in principle should have been proclaimed in words and in acts, in a manner which would have put an end not only to all doubt, but to all hope that it would recede from it.

Buchanan did not by any means ignore this to the extent one might suppose from his defense to Scott's charges. On the 17th of November he asked for an official opinion of the attorney-general on the crisis. He thereby recognized that the question, What are the duties and rights of the president under the constitution and laws? must take precedence of all political and military considerations; for the constitutional duty of the attorney-general, as an adviser of the executive, to give such an opinion, was confined to that question. But not only that. Military and political considerations were allowable only within the limits of the rights belonging to the president. They would not justify his going beyond these limits,—limits which could not, perhaps, be laid down with complete accuracy; still less would they warrant the least omission of what was required of him by the constitution and the laws. The task, therefore, that confronted Black demanded in the highest measure that rare combination of powers and qualities by which John Marshall had been enabled to render such inestimable service to the Union — a clear, political and keen judicial mind, and a character of absolute integrity and unyielding firmness. For if, on the one hand, the considerations of expediency suited to the circumstances of the moment were inadmissible because the question to be decided was, What was the law, the constitution, on the other, was, like all constitutions, ultimately a political, legal

instrument, and all its provisions had to be construed accordingly; its object was the state, and its interpretation had therefore to start with the assumption that its framers had had that always in view; that is, all the deductions from the text which it was necessary to draw should have been so formulated as to be in harmony with the laws of public life, inherent in the nature of things, and not in evident conflict with them, because the authors of the constitution could not have intended, by individual provisions and in principle, to have made the attainment of that impossible which was the object of the whole. While the politician should not have changed a single jot or tittle in that opinion, the statesman should, from the first word to the last, have held the light for the jurist, who was acting under the weight of the most solemn responsibility; for, although he should have given no place to political considerations, his judgment, if the president made it his own, must have an immense political importance, and might even be decisive of the existence or non-existence of the state. The difficulty of the task was equaled only by the badness of the hands in which it was placed, although Black was not only a highly estimable man, but, in character and capacity, rose to a very respectable height above the average. Although he had never been a real professional politician, his thought and feeling had assumed so deep a party political hue that he was too much of a politician for the right solution of this problem.[1] On the other hand, he was not statesman enough, and altogether too much of a jurist. That he gave a conscientious opinion, and the best his legal knowledge

[1] "Judge Black, while at the bar, had not been much of a politician. . . . But he was a vigorous writer on political subjects, and his pen was much in the service of his party. . . . He was a democrat of the strictest sect, a disciple of Jefferson, and a most unflinching and aggressive friend of Jackson." C. F. Black, Essays and Speeches of J. S. Black, Biographical Sketch, p. 5.

could dictate, there can be no doubt. But, notwithstanding this, we may assert that he did not subject the question to a real examination. The more carefully one studies his opinion the more does the conviction force itself on one that he looked upon, *a priori*, as firmly established what should have been his final deduction. He demonstrates his proposition in the form of an investigation. Hence he sees only what is agreeable to him,— breaks off the argument where the further following up of the logical chain of thought must lead to unpleasant results,— does not perceive that his discarding of one-half the premises and the capricious gaps in his reasoning lead to the complete inversion of his own premises and of the state of the facts, and by his judicial coldness and keenness in the statement of the question and the inferences he draws, deceives himself as to all this. Of subjective guilt he cannot be accused, but that fact did not lessen the frightful weight of the blow which he dealt his country.

The opinion[1] starts out with the proposition that the federal government and the state governments are, on the one hand, independent, and possess the supreme power within the sphere of their competency, and, on the other, entirely powerless outside the limits prescribed to them by the constitution. "The will of a state, whether expressed in its constitution or laws, cannot, while it remains (!) in the confederacy, absolve its people from the duty of obeying the just and constitutional requirements of the central government." As it was expressly added that he was not speaking of what might be effected by revolutionary force, but only of legal and constitutional rights, it was evidently conceded that a state might cease, in a legal and constitutional manner, to be a constituent member of the Union.

[1] 20th of November, Op. of the Att'y-Gen'l, IX, pp. 516 ff.

Not a word intimated how that could happen. But as the indirect assertion of the claim is found in the sentence relating to the constitutional limits of the will of the state, the evident conclusion is that the attorney-general was of opinion that the state had a right to bring it to pass in any way whatever. The sequel proved that Black did not hold this view. Yet there is no question that it was not from a want of reflection that he wrote the words which seemed to approve the secessionists in the most essential point of all, and that in a sentence which was entirely meaningless if it was not intended to recognize the right of secession. The words flowed involuntarily from his pen, and he was not clear as to their bearing, because he immediately answered the question of secession both affirmatively and negatively, forging with rigid doctrinarianism born of a party-political spirit, a logical chain of fallacies, working his way from the negative given in the fundamental principle of the theory to an affirmative all the more categorical in proportion as the facts more peremptorily required the actual assertion of the fundamental principle of the theory. His dialectic art made the constitution a monster devouring itself, because he *could* not recognize the right of secession and *would* not recognize as reconcilable with the nature of the federative state the means by which serious attempts to assert that right might be suppressed.

The next step in the proof that the constitution was such a monstrosity is the reference to the duty of the president to see to the execution of the laws. The attorney-general here claims that the president, when the law has made any provision as to the manner in which this duty is to be fulfilled, has no discretion with respect to it, that is, that the manner prescribed by the law is the only one allowable, no matter how ineffectual or preposterous — a proposition

which, stated thus absolutely and generally, is far from unassailable.[1]

With this, the question of the duties of the president was dismissed. Henceforth only his rights are spoken of. He has the right to defend federal property, and this right embraces the further right to recapture such property when it has been illegally taken out of its possession. Both, however, were not only a right but an imperative duty. This is too clear to need proof; and it is equally clear from what follows, why Black spoke only of rights and not at all of duty. One need not exercise a right, but a duty must be performed; and while sophistry is able to find apparent reasons for the claim that a right may not be exercised, the claim that the same law that imposed a duty forbade its performance is a contradiction which no sophistry can conceal. In the discussion that follows of the question whether and to what extent the employment of military force was allowable, he attempted to prove that the constitution, in cases like the present, intended to give the president, by these rights, only a useless weapon.

He admits without reserve that the law of 1795 left it entirely to the president to decide whether the conditions under which the calling out of the militia is allowable existed. These conditions are that the federal laws are resisted by combinations too powerful to be put down by the

[1] Congress has certainly the right to authorize a definite manner without making it absolutely obligatory. Every law should therefore be examined with the view of ascertaining whether congress did not intend to make only this limited use of its competency. Moreover, it is conceivable that the manner prescribed might curtail rights granted the president by the constitution. If this is the case it is not binding, for the law is unconstitutional; that is, it is a law only in form but not in reality. Whether it may, on that account, be rightly resisted, remains, indeed, an unsettled question, until the matter has been decided by the federal supreme court. Hence when the president disregards it, he does so at his peril.

courts or the marshals. It must be established beyond a doubt that it is impossible for the courts or marshals to suppress them before a military force can be summoned, and "even then its operations must be purely defensive." It can do only what "a posse" would have had to do, if one of sufficient strength could have been summoned. It has to be absolutely subordinate to the civil authorities, because it could act only to assist the latter. When the resistance was so universal in a state that all federal officials resigned their positions, and others could not be induced to fill them, interference by a military force would be "wholly illegal," because there would be no civil authorities whom the troops could support. Under such circumstances to use the troops against the people "would be simply making war upon them."

A bolder offense to sound common sense was certainly never made by sophistical logic. The revolt against the laws and the constitution needs only to exceed certain limits in order completely to tie the hands of the government, by the constitution; it has no longer the right to employ the means which it would be its duty to use if the refusal to obey had stopped one step short of these limits. The framers of that constitution which for more than two generations has been lauded as the product of the highest statesmanlike wisdom, had, therefore, carrying cynical morality to the extreme, provided for the case of big thieves and of little thieves, only to make the escape of the big ones obligatory.

An attorney-general who had to give the president an official opinion on this question, in such a crisis, was certainly obliged to pay some attention to what the supreme court of the United States had said upon it. Black was too good a lawyer to allow us to assume that he did not know that the basis of his sophism had, forty years before,

been ground to powder under the giant blows of Marshall's logic. In the case of *Cohens v. Virginia*,[1] the attorney for Virginia (Barbour) had said that the legislatures had it in their power to destroy the federal government by sins of omission: all they needed was to choose no senators and electors. Whereupon Marshall used the prophetic words: "We cannot help believing that a general conviction of the total incapacity of the government to protect itself and its laws, in such cases, would contribute in no inconsiderable degree to their occurrence." But, at the very threshold, he did all in his power to avert the danger that such a conviction should find a lodging in the mind of the people. Universal hostility to the existing system, he said, is irresistible; and hence, the framers of the constitution did not attempt the impossible and try to insure it against such hostility. But it is usurpation whenever a part undertakes to do what the whole cannot be kept from doing. Provision has been made for that, because such usurpation can be opposed, and it is the duty of those to whom the people — the whole — have delegated their power, to oppose it.[2] This applies as much to a state as to any other fraction of

[1] Wheaton, vi, pp. 264 ff.

[2] "It is very true that, whenever hostility to the existing system shall become universal, it will also be irresistible. The people made the constitution, and the people can unmake it. It is the creature of their will, and lives only by their will. But this supreme and irresistible power to make or to unmake resides only in the whole body of the people; not in any subdivision of them. The attempt of any of the parts to exercise it is usurpation, and ought to be repelled by those to whom the people have delegated their power of repelling it. . . . The framers of the constitution were indeed unable to make any provisions which should protect that instrument against a general combination of the states, or of the people, for its destruction; and, conscious of this inability, they have not made the attempt. But they were able to provide against the operation of measures adopted in any one state, whose tendency might be to arrest the execution of the laws; and this it was the part of true wisdom to attempt. We think they have attempted it."

the whole. For the provision that the constitution, the laws passed and the treaties concluded under it are the supreme law was "the authoritative language of the American people, and, if the gentlemen please, of the American states." This simple sentence overthrew the claim that the duty of obedience of the states to the constitution was a different, more limited and less absolute one than that of the population, that is, that some tens or hundreds of thousands, in case they acted as a state, were justified in withdrawing from its (the constitution's) supremacy, while all the millions of individuals were, without exception, absolutely subject to it. It has pleased "America," in many respects and for many purposes, to be "a nation." With regard to all these, its government is "complete" and "competent." In the fulfillment of these purposes, it has a right "to control all individuals or governments within the American territory."

These propositions could not be shaken, if the starting point of the reasoning in support of them was the object of the constitution. But Black did not take his stand on this positive ground. His argument is built entirely on the negative elements which he was able to interpret out of, and into, the constitution. Instead of first establishing what the objects of the constitution are and then inquiring what means were given to the government or the president for the attainment of these objects, he leaves the former entirely out of consideration, and hence really examines the second question only from its negative side, thus involuntarily turning his investigation into a search for proofs of the unlawfulness of certain means.

When a state declares its independence, continues the opinion, the question whether it is revolutionary, or is done on the ground of a right reserved in the constitution, must exercise no influence on the action of the president He is

not authorized to recognize such independence. The congress or a convention of the other states would have to take the necessary and appropriate measures. The president must assume that the legal relations hitherto existing continue unchanged, and must execute the laws to the extent that the defensive means placed in his hands permit, until such time as a new order of things has been established by law or by force.

The president is therefore bound by the constitution, at the risk of a new order of things being established by force, *i. e.*, of the constitution being torn and destroyed, to read into the command given by the constitution with the most concise peremptoriness, the words "defensive means" and "to the extent of." And in his search for the answer to the question what defensive means are given him and how far they allow him to go, he dare not, evidently, approach the interpretation of the laws with the presupposition that it was the intention of congress to give him the means required for the fulfillment of his sworn duty in case not only a law met with resistance, and some persons offered such resistance, but a state refused obedience and by its secession overthrew all the laws together with the entire constitution. The attorney-general must be understood in this way, for he now takes up the proof that the constitution had not given congress the power to employ the means necessary in this case for the execution of the laws and for its own maintenance, and that congress evidently could not have granted, in the laws in force, powers which it should not have conferred at all.

Whether congress has the constitutional right to wage war against one or more states, says Black, is a question which congress itself has to consider. Still he goes to the trouble of examining it, and gives it an absolutely negative answer. The constitutional provision relating to the dec-

laration of war has reference only to foreign powers, and the right to call out the militia was granted only: (1) "to execute the laws of the Union; that is, to assist the federal officers in the performance of their regular duties;" (2) "to suppress insurrections against the state;" (3) to repel invasions of a foreign hostile power. "All these provisions are made to protect the states, not to authorize an attack by one part of the country upon another; to preserve the peace, and not to plunge them into civil war." All the framers of the constitution were, doubtless, decidedly convinced that military force as a means of holding the states together was not only useless, but would be ruinous. The employment of such force against a state would be, *ipso facto*, its expulsion from the Union. And would not all the states be released from their federal obligations, if congress, by an unconstitutional excitation of strife and armed force, broke up the existing union? Would any part of the people be bound to spend their money or shed their blood in such a struggle?

With scarcely any exaggeration we may say: So many sentences, so many arbitrary assumptions, preposterous claims, inconsistencies or fallacies!

It has already been pointed out that it is nowhere said in the constitution that the militia should be called out only to assist the federal authorities in the performance of their regular duties; that is, that the laws should no longer be executed when no federal officials could be procured who were willing to try to execute them. Logic required the opposite conclusion. It was the imperative duty of the government to call out the militia, in order to create anew this presupposition of a legal situation; for the refusal on principle to execute the laws was a refusal to preserve the state. A constitution which forbids the government to prevent the destruction of the state is an absurdity.

It is wrongly called a constitution, for it is only an international treaty for no definite time, with the unlimited right to give notice of its termination at any moment.

In the constitution we find simply, "insurrections," not "insurrections against the state." That, in slave states, the expression was used in the sense of the slave insurrections, is true. On this account it was often claimed, but never proved, that the framers of the constitution intended to speak only of such.[1]

[1] Madison said, in the debate on the powers which should be given to the federal government with respect to the militia: "As the greatest danger is that of disunion of the states, it is necessary to guard against it by sufficient powers to the common government." Elliot's Deb., vol. 5, p. 466. Immediately after the expression of this view the provision was adopted, without any opposition, in the form which it stands in the constitution: "Congress shall have power . . . to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions." Art. I, sec. 8, ch. 15. See, also, the debate between G. Mason and Madison on this clause, in the Virginia convention. Elliot's Deb., III, pp. 378, 383. To Clay's question, why they could not rest satisfied with authorizing the sheriff to call upon the *posse comitatus* to execute the laws, Madison answered that that would not be always sufficient; "public force must be used when resistance to the laws require it, otherwise society itself must be destroyed." Ib., p. 384. The strongest refutation, however, of Black's construction is given by Hamilton, in No. 28 of the *Federalist:* "That there may happen cases in which the national government may be necessitated to resort to force cannot be denied; . . . seditions and insurrections are, unhappily, maladies as inseparable from the body politic as tumors and eruptions from the natural body. . . . Should such emergencies at any time happen under the national government, there could be no remedy but force. The means to be employed must be proportioned to the extent of the mischief. If it should be a slight commotion in a small part of a state, the militia of the residue would be adequate to its suppression. . . . If, on the contrary, the insurrection should pervade a whole state, or a principal part of it, the employment of a different kind of force might become unavoidable." Dawson's edit., pp. 181, 182.

The sole object of the provisions was, unquestionably, protection, but protection not only of the individual states, but of all them — of the Union. And so long as aye did not mean nay, and nay, aye, the federal government could not become guilty of an attack on the rights of a state by not allowing the Union to be destroyed, by parrying the blow aimed at it by a state and compelling the state to keep the peace. Precisely because these coercive means had been given it "to preserve the peace," the government must make use of them in order to restore the peace when a state has broken it.

According to Black's argument, the counter-blow was the cause, not the consequence, of the blow. The federal government expelled a state from the Union when it endeavored to prevent its announced withdrawal from the Union by the means that could prevent it; it dissolved the Union when it opposed its dissolution; it released all the states and the entire people from their duty of obedience when it compelled a state to yield the obedience it owed but refused. Constitutionally, therefore, what the government did was the direct opposite of what it was in fact. But facts cannot be nonsensical, and the possibility of a deductive proof that the constitution had decreed an absurdity must, in principle, be looked upon as excluded; only in case it was to be found indisputably and directly in the wording of the constitution should it be recognized as at all existing. All construction should tend to sense, not to nonsense and absurdity. But a duty which dare not be performed, if its non-performance makes the performance of all other duties impossible, is the greatest absurdity conceivable.

At the end Black sums up his opinion, to the effect that the federal government had the right to "preserve itself in its whole constitutional vigor by repelling a direct and positive aggression upon its property or its officers," but that

"an offensive war to compel a state to recognize the supremacy of the government of the United States" would destroy the Union, immediately and completely. That, therefore, could not be done to preserve the Union which was allowable in defense of federal property and federal officials; and what was defense in the latter case would be offensive war in the former. Written constitutions may, after all, put forth very strange blossoms in highly critical times, if the proposition that they guarantee a government by laws instead of a government by men is construed to mean that politics is under the guardianship of jurisprudence, and that the government must leave the decisive word to its legal adviser.

These constitutional views of Black were not legally binding on Buchanan. He could not even find protection behind them. They, however, afforded him a certain moral support, if he acted in accordance with them, and it must be assumed that he asked for the opinion of his attorney-general on that account, for he knew what its nature would be, and his mind had been made up before he asked for it. The annual message of the 3d of December, so far as it treated this question, was, as to its contents, a copy of the opinion, but its arguments and conclusions would have been essentially the same, even if the opinion had never been given. The political moresk-work with which Buchanan surrounded his constitutional reasoning must have convinced of the truth of this even those to whom it did not seem already sufficiently proved by his whole political past and by his character.

Immediately after the first sentence about the crisis, it could be inferred with certainty what the message would offer. That sentence ran: "The long-continued and intemperate interference of the northern people with the question of slavery in the southern states has at length

produced its natural effects." The whole blame, therefore, rested on the opponents of slavery; the south, which had never asked anything more than that it be let alone, was only acting in self-defense. From this it necessarily followed that the employment of force against it would be morally unjustifiable. If such an employment of force was commanded by the constitution, then the constitution made that which must be morally condemned a duty, which, of course, should not be assumed, unless one were forced thereto by a provision which excluded every other construction.

It is not necessary to follow in every detail the chain of reasoning which led the president to this inevitable conclusion, from his introductory sentence. It is sufficient to select, and accompany with critical remarks, those parts of it which might and even must have a practical, important bearing in the course of events.

The election of any citizen as president, says Buchanan, can, of itself, be no just cause for the dissolution of the Union. Reason, justice and respect for the constitution required that "we" should wait for some definite and dangerous action, before having recourse to such a remedy. He (Lincoln) had not to make the laws, but only to execute them; and it was a remarkable fact in our history that congress had never passed a law — the Missouri compromise perhaps excepted — that curtailed in the least the rights of the states to their slave property. Nor is it to be assumed that such a law could, in the present or the next congress, receive the assent of the two houses. Some states, however, had become guilty of violations of their constitutional duty — notably by laws relating to the extradition of fugitive slaves. But neither congress nor the president should be held responsible for that. It was to be hoped that the state legislatures would repeal these

unconstitutional and disastrous laws. Unless they did so, no human power could save the Union. Revolutionary resistance by the injured states to the federal government would then, after they had exhausted all peaceable and constitutional means, be justifiable.

The first part of Buchanan's argument was, therefore, a refutation, step by step, and with invincible logic, of the *judgment* with which he had begun it. As the right of complaint of the south could not extend to opinions and feelings, but was, in the nature of things, confined to acts, and as its rights were sufficiently protected by the courts against the punishable acts of individuals, all its grievances for which there was any ground shrunk, in view of the facts demonstrated by the president, to a few state laws merely, and for these, as Buchanan rightly showed, the federal government could not be held constitutionally or morally responsible. How, notwithstanding this, these grievances could justify "revolutionary resistance to the government of the Union," is inconceivable. But it is just as difficult to understand how the head of the government of a great state could consider it his business, in a mighty, revolutionary movement directed not against the form but against the existence of the state, to announce, *urbi et orbi*, under what conditions he would consider the revolution "justified."

This was all the more outrageous, as he accompanied the announcement with the declaration that he had used the word "revolutionary" with entire deliberation and wanted it to be understood in its broadest sense. He characterized the constitutional right claimed as a chimera, and justly said: "What a crushing argument" would it have been in the struggles for the constitution, if those who feared an imperilment of state rights from it could have been told that any state might leave the Union at any moment! The framers of the constitution had not been guilty of the

"absurdity" of making provision, in the fundamental law, for the dissolution of the state. Their desire was to erect a structure which might resist the ravages of time and bid defiance to the storms of centuries. But, on that very account, the people of the states could protect themselves against "the tyranny and oppression of the federal government." For the right of the governed to resist the oppression of the government exists independently of all constitutions. But secession was revolution even if justified.

As the president had stated that the federal government had thus far done nothing for which it could be blamed, and that there was no reason to fear that it would do anything of that nature in the future, there was no reason whatever for his saying anything about resistance to tyranny and oppression, and, if it was not necessary that something should be said about it, then, under the circumstances, nothing should have been said about it. His reference to such resistance might — nay, must — make it seem that he wanted to take back the remarks that preceded it, to a greater or less extent. This, however, was of comparatively little importance. It did not at all beseem the president to express himself on the "right of revolution." Even if he had made it as clear as he had left it obscure, that in this connection "right" (*Recht*) could only mean "reason for" (*Berechtigung*), it would have been, under the circumstances, a grievous wrong to do so. The fact that he declared secession to be revolution was of itself of great importance, for it might be made to help refute his further reasoning, and, in the subsequent course of events, force practical consequences to be drawn, the avoidance of which was his most ardent wish. But, as president, he should have known nothing whatever, in any sense whatever, of a right of revolution. In his official capacity he should have absolutely denied his power to raise the question of the polit-

ical or moral justification of secession. The official declaration that he held the constitution to be overshadowed by the right of revolution turned the value of the declaration that secession was revolution into an interrogation point. It was his duty to let the people know that to him, in his official capacity, secession could be nothing but revolution, and that he must draw from the conviction that such was its character all its logical consequences. Buchanan's further reasoning proceeded from this proposition, but reached a conclusion, both as to his own duties and those of the federal government, the very reverse of it.

"Not by any human power," said Buchanan, can the president be absolved from his sworn duty to execute the laws. But how, when circumstances beyond his control made it impossible for him to execute them? That is already the case, in part, in South Carolina, as there is not now, in that state, a single federal official in the service of the administration of justice. The president is powerless in the face of this fact; since, by the laws of February 28, 1795, and March 3, 1807, he can call upon the militia only to assist these officials. Congress must decide whether the existing laws can be so changed as to make the objects of the constitution more effectually attainable. It may even soon be called upon to decide the more important question, whether it has authority to employ force to compel a state to remain in the Union. But it was his, Buchanan's, duty to declare that, after careful investigation, he could not recognize the existence of such authority. It could be deduced only from the principle that congress had been granted the right to declare and wage war against a state. It was not expressly granted him, nor was it "necessary and proper for carrying into execution" any of the powers granted him. The Philadelphia convention had debated the question, and decided that the right had not been

granted. More than that, it was in conflict with the entire spirit of the constitution. Besides, if congress had the right, its enforcement would be unwise, because it made the future reconciliation of the states "impossible." "The fact is that our Union rests upon public opinion and can never be cemented by the blood of its citizens shed in civil war." Like all things earthly, the slavery question was a transitory one, and had already passed its zenith. But what could not be obtained by force, and what should not be attempted, might be reached by friendly advances. The article on the amendment of the constitution pointed out the way in which the Union should be saved. The amendment to be proposed by congress to the state legislatures needed only to establish the correct interpretation of the constitution with respect to three points: 1. The express recognition of the right of property in slaves, in states in which that right already existed or might exist in the future. 2. The duty to protect that right in all the territories, so long as they remained territories. 3. The recognition of the equally absolute duty of the surrender of fugitive slaves.

As the question of the rights and duties of the president has been already discussed, all that is needed here is a criticism of the argument on the powers of congress. But a word is sufficient to prove that the fundamental proposition of that argument is a gross fallacy; and, of course, the whole structure crumbles when its foundation is destroyed. Buchanan admitted that secession was revolution. Hence, the question was not, whether congress had the right to declare "war" against a state, but only whether it might put down a revolution. To put that question was to answer it. *Ex vi termini*, every government not only has the right but it is its duty to put down a revolution. If the suppression of the revolution assumed the character of a war,

that was merely a fact, not a question of law or of right, and the responsibilty therefore lay exclusively on those who were making the revolution, and not upon the government that suppressed it.

But it is well worth while, from an historicial, constitutional and political point of view, to subject some other points of Buchanan's reasoning to a critical examination.

In the first place his reference to the doings of the Philadelphia convention must be submitted to a close investigation.

It is true that a proposition was made and rejected[1] to adopt a provision on the right of employing force against a state. Although the federal government has only the rights given it by the constitution, it does not follow from that fact, in and of itself, that that power should have been withheld from it. If the convention was of opinion that it was contained in other provisions of the draft of the constitution, there was no need of its being expressly granted. But the president based his interpretation on two important remarks made by Madison on the question. He had said on the 31st of May, 1787: "The use of force against a state would look more like a declaration of war than an infliction of punishment, and would probably be considered by the party attacked as a dissolution of all previous contracts by which it might be bound."[2] And on the 8th of June: "Any government for the United States, formed on the supposed practicability of using force against the constitutional proceedings of the states, would prove as visionary and fallacious as the government of congress" under the articles of confederation.[3]

[1] That is on Madison's motion, to which there was no objection, the clause was "postponed," and not brought up again for consideration.

[2] Elliot, V, p. 140.

[3] Ib., p. 171.

It would seem at the first glance that this commentary which met with objection from no quarter, on the non-adoption of the proposed provision, excluded all doubt as to the intention of the convention. Those who denied the right of coercion had, therefore, always maintained this with the greatest positiveness. But the claim, like the rest of the principles of the extreme state's rights school, was based not on facts but on arbitrary and false assumptions. To be convinced of this one needs only follow the history of the question in the convention in all its connections. If people had done so sooner — and it was neither a difficult nor wearisome task — with historical objectivity and coolness, the wonderful obscurity existing in many minds on this fundamental problem of constitutional law would have been dispelled before it came to be of such terrible, practical importance that it might be decisive of the existence or non-existence of the Union.

In the first place it has been entirely overlooked that in the debates in the convention there was evidently question only of isolated constitutional offenses of the states,[1] of a positive or negative nature, that is, sins of commission or omission, and not of the canceling of the constitution *in toto* or of withdrawal from the Union. This is clear from the wording of the proposed clause itself, "authorizing an exertion of the force of the whole against a delinquent state." The word "delinquent" here should be understood to mean faithlessness to duty or obligation, for it must be construed in the light of the experience the Union had gone through under the articles of confederation: First, refusal to yield to the constitutional demands of the federal powers, and then encroachment on the jurisdictional

[1] Even A. B. Hart, in his otherwise meritorious work, The Coercive Powers of the Government of the United States of America, has not noticed this.

domain of the latter. If the case of secession had been contemplated it is scarcely probable that a mere adjective would have been chosen, and one of such indifferent color at that. Nor need it at all surprise us that the case of secession was not contemplated. Of course the constitution had to fix the constitutional relation of the states to the federal government. But a state which announced its secession from the Union thereby destroyed the precondition of its whole constitutional position. That announcement was the renunciation in principle of all its rights, and such renunciation was entirely in its power, in so far as it could not be prevented. But such renunciation could neither deprive the federal government of its rights nor absolve it from its duties. The only logical consequence would be, on the one hand, the obliteration of the bounds set it by its constitutional position, *vis-a-vis* of the federal government, and, on the other, the duty to restore the constitutional relation by all possible means, and hence, in the first place, to regain the precondition to that constitutional relation, viz., the appurtenance of the state to the Union. If, as Buchanan had truly said, a constitutional right of secession was an absurdity, because the Union was not an international confederation but a state, then the question of secession was in no way a constitutional question, for the constitution had to do only with constitutional relations, and secession was not and could not be a constitutional relation.

It followed, however, directly from the first of Madison's sentences quoted by Buchanan, that he had in view only isolated constitutional offenses of the states. The expression of the fear, that the use of force would cause the state to consider itself released from all the obligations it had entered into, was a plain contradiction, if he had intended to speak also of the case of a state's announcing the

annulment of all its obligations by a declaration of secession. But that Madison must have condemned the use of force in the latter case, because he had condemned it in the former, would have been a most arbitrary conclusion. The cases were radically different, and hence what was considered permissible or even absolutely necessary in the one might easily be looked upon as worthy of condemnation in the other.

The supposition that Madison had done this is excluded all the less, as he had originally advocated the granting of the power which he now opposed.[1] It is to be found not

[1] As early as 1781 he defended the view that the power was "implied" in the articles of confederation, and thought it better to give it in express terms. His report to congress proposed the following form: "To employ the force of the United States, as well by sea as by land, to compel states to fulfill their federal engagements; . . . to make distraint on any of the effects . . . of such state or any of the citizens thereof, . . . and to prohibit their trade and intercourse." See Madis. Pap., I, pp. 86–90. Nor was he by any means alone in the opinion that congress had already the right to use force. In 1786 Monroe stated as a reason why a constitutional convention should not be called: "Congress . . . has a right to compel (!) compliance with every requisition which does not go beyond the powers with which it is invested by the confederation." Bancroft, Hist. of the Formation of the Const. of the United States, I, p. 259. It is, however, deserving of special remark that even Jefferson held this view most firmly. On the 24th of January, 1786, he wrote to Mr. de Meusnier: "It has been often said that the decisions of congress are impotent because the confederation provides no compulsory power. But when two or more nations enter into compact, it is not usual for them to say what shall be done to the party who infringes it. Decency forbids this; and it is as unnecessary as indecent, because the right of compulsion naturally results to the party injured by the breach. When any one state in the American Union refuses obedience to the confederation by which they have bound themselves, the rest have a natural right to compel them to obedience. Congress would probably exercise long patience before they would recur to force; but if the case ultimately required it, they would use that recurrence. Should this case ever arise, they will probably coerce by a naval force, as being more easy, less dangerous to liberty,

only in the so-called Virginia plan,[1] in which he had a material part, but also in his own draft of a constitution.[2] Moreover, it is very clear from his remarks that the reason for the change in his views did not lie in the political nature he wished to give the Union in the new constitution. Not because a constitutional power of coercion of the federal government was irreconcilable with the "sovereignty" of the states, but because he had become convinced that, for practical reasons, the employment of force was not to be recommended, did he let his proposition drop. He did not want to prove that the duty of obedience of the states to the constitution found a limit in their sovereignty, which, will or not, the federal government would have to respect, but that it was advisable, and why it was advisable, to look for something to take the place of the use of force, in order to insure the Union against violations of that duty. He did not argue against the right of compelling obedience unconstitutionally refused, but

and less likely to produce much bloodshed." Jefferson's Works, IX, pp. 291, 292. In a letter of the 11th of August, 1786, to Monroe, on the necessity of measures against the Algerian pirates, we read: "It will be said there is no money in the treasury. There never will be money in the treasury till the confederacy shows its teeth. The states must see the rod; perhaps it must be felt by some one of them. . . . Every rational citizen must wish to see an effective instrument of coercion, and should fear to see it on any other element than the water. A naval force can never endanger our liberties, nor occasion bloodshed; a land force would do both." Ib., I. pp. 606, 607.

[1] "To call forth the force of the Union against any member of the Union failing to fulfill its duty under the articles thereof." Elliot, V, p. 128. It is noteworthy and significant that Patterson, of New Jersey, said, in a speech in which he strongly advocated that the "federal scheme" of the articles of confederation should be preserved: "No other amendments (of the articles of confederation) were wanting than to mark the orbits of the states with precision, and provide for the use of coercion, which was the great point." Ib., p. 177.

[2] The *North Amer. Rev.*, XXV, p. 265, cited by Hart, loc. cit., p. 3.

pleaded for the expediency of securing it by some other means than force of arms. Only because that seemed possible, did he and the convention object to the provision concerning the employment of force. The concluding sentence, not quoted by Buchanan, of Madison's short, first speech, stated this expressly.[1] In the second speech — which Buchanan thought well to be silent about, also — he repeated this, and the repetition of it dispels all doubt that could possibly still exist after the first declaration; for this latter speech dealt with the substitute for the use of force which was first proposed.

On the same day on which, on Madison's motion, the "force clause" was defeated, the convention had, without debate and without opposition, adopted a provision that gave the national government a "negative" on all state laws which were in its opinion opposed to the constitution. This resolution was brought up for reconsideration on the 8th of June. Madison defended it with great power. He characterized the provision as the "mildest expedient" against the manifold improprieties from which the country had hitherto suffered from the states. If it could not be agreed to, there was no alternative but the employment of force.[2] However, in order that the negative might have the necessary efficacy, it must be extended to all cases.

This enlargement of the original demand seems to have contributed a great deal towards opening the eyes of the convention to the fact that many and weighty objections might be raised to the expediency of seeking to reach the desired end in this way. The convention returned again and again to the question, and at last definitively rejected this means of protection, but not until it supposed it had

[1] "He hoped such a system would be framed as might render this resource unnecessary."

[2] Elliot, Deb., V, p. 171.

found a better one in the provision that the constitution was the supreme law, and that the states should be bound by it.[1] Whether the object intended would be attained by this means experience alone could show. But that the history of the origin of this provision was a refutation rather than a confirmation of what Buchanan found in the constitution and in the debates of the Philadelphia convention cannot be questioned.

Madison frankly stated that the principal reason why recourse must be had to some other expedient was because it was too doubtful whether the federal government would be able to coerce a state by force of arms.[2] The decisive thing was not an objection in principle but a purely practical consideration. Only one fault could be found with that assertion. He doubted not only the feasibleness and efficacy, but also the justice, of the use of force "when applied to people collectively, not individually."[3] But the quoting of this opinion of Madison, so far, at least, as secession was concerned, is shown to be wholly unallowable by the sentence immediately following: "A union of states containing such an ingredient seemed to provide for its own destruction." He did not want the force clause, because its insertion in the constitution might involve danger to the Union; yet Buchanan interpreted his utterances to mean that the destruction of the Union must not be prevented by the federal government by armed force. If the

[1] Ib., p. 322.

[2] "Could the national resources, if exerted to the utmost, enforce a national decree against Massachusetts, abetted, perhaps, by several of her neighbors? It would not be possible. A small proportion of the community, in a compact situation, acting on the defensive, and at one of its extremities, might at any time bid defiance to the national government."

[3] It is plain from this sentence, also, that unquestionably only isolated, individual constitutional offenses were meant.

rejection of the force clause were the withholding in principle of the right to use force under any circumstances against a state, then, indeed, the constitution had provided for the destruction of the Union; for the prohibition to preserve it in certain cases was equivalent to the command to allow it to be destroyed in those cases.

If the framers of the constitution had really taken the position ascribed to them by Buchanan, they would have become guilty of the grossest self-contradiction. If they desired the Union to be a state, they must also have desired the possibility of coercion. For Douglas was unquestionably right when he said: "The word government means coercion. There can be no government without coercion. Coercion is the vital principle upon which all governments rest. Withdraw the right of coercion and you dissolve your government."[1] Hence the right of coercion was undoubtedly granted in the constitution, for it was not expressly withheld, and the constitution had created a real state with a real government for the totality of individuals belonging to it, and hence also for the parts of that totality organized as states. Congress was expressly given the right to make all laws which should be necessary and proper for carrying into execution the powers vested in it, or in any department or officer of the United States. But the preservation of the Union, and of the government as the government, was the precondition of the execution of all the rights granted to, and all the duties imposed upon, the federal government; and hence Buchanan's contention, that the use of force in the execution of any of the powers granted was not necessary and proper, was simply senseless.

Curtis[2] denies with great positiveness and moral indignation that this was Buchanan's position. The blindness and

[1] Congr. Globe, 2d Sess., 36th Congr., App., p. 40.
[2] Life of Buchanan, II, pp. 352, 353.

lack of conscience born of party spirit, he claims, have ascribed views to Buchanan which he never held. As the *thema probandum* of his entire work, in two volumes, is that Buchanan was not only an excellent man and high-minded patriot, but also an inflexible character and a statesman of surpassing wisdom, this assertion cannot surprise us. Whether his proof of it places Buchanan's powers of thought and judgment in a better light is, however, more than questionable.

From later publications by Black, it appears that he had objected to the sentence in the message relating to the power of congress "to coerce a state into submission which is attempting to withdraw or has actually withdrawn from the confederacy." The attorney-general, Curtis tells us, fully shared the constitutional views developed in the message, and only feared that this sentence would be superficially read, and therefore misunderstood. The president had no reason for such anxiety, since he had shown the difference between coercion against a state and against individuals so clearly. But, in the opinion of the man whom the president must have considered an exceptionally competent judge, his own attorney-general, the difference was not made sufficiently clear, and it would therefore have been advisable to clothe the right (?) idea in words which would exclude the possibility of a misunderstanding. Is it not much more probable that Buchanan did not do so because his two principal propositions concerning the right of coercion were in irreconcilable contradiction? He who cannot perceive that such was the fact, without assistance, can find the help he needs in Curtis; for, in order to remove that contradiction, Curtis is forced to make the message say what is not to be found in it. According to him, its purport was that "while the federal government could not apply force to prevent a state from adopting an ordinance of secession, it could and

must use force, if need be, to execute its laws, notwithstanding the secession." There was not a word in the message about preventing a state from "adopting an ordinance of secession," and the idea could occur to no one that that was what Buchanan meant by the question whether congress had the power to compel a state to remain in the Union by force of arms. How, indeed, can armed force prevent the adoption of a resolution, in other words an expression of will? And as Buchanan spoke also of states that had already "actually withdrawn," he must, according to this interpretation, have considered it possible to prevent by force of arms an expression of will which had been already made. Buchanan, however, had never soared to the height of absurdity to which his apologist assigns him, He meant what he said, and said what he meant.[1] Hence he did not, as Curtis represents, plainly declare it to be the right and duty of the federal government to execute the laws of the Union, notwithstanding secession. On the contrary, he endeavored to prove that the execution of them would, under certain circumstances, be in great part practically impossible and constitutionally unlawful; and he unqualifiedly recognized only the duty of the federal government to protect federal property and federal officials from direct attacks upon them. If Buchanan had really desired to recognize the duty of securing the execution of the laws of the Union by force of arms, spite of secession, then the denial of the right to compel a state to remain in the Union, by force of arms, was of no practical importance; it was a fiction of constitutional law without any reality whatever; and only in case it was such a fiction could the principle be contradicted

[1] In his answer to Cass's letter of resignation we again read: "that congress does not possess the power to coerce a state by force of arms to remain in the confederacy." Ib., II, p. 398.

that was laid down above, namely, that the preservation of the Union was the precondition of the exercise of all the powers granted to the federal government and of all the duties imposed upon it. According to Curtis, only a very small part of Buchanan's doctrine was favorable to the slave states, and that part was of such a nature that it could not be turned to account; while the truth is that only the smaller part of it was meant to be of advantage to the federal government or the Union, and that that smaller portion was rendered utterly fruitless by the greater part that resulted to the advantage of the south.

Curtis is, therefore, wholly unwarranted in claiming that the alleged wrong interpretation was possible only to "a merely partisan spirit of misrepresentation." Crittenden, whom he would be very far from accusing of being governed by such a spirit, was the first who, in the senate, declared in the concisest terms that the two sides of Buchanan's doctrine were simply irreconcilable.[1] If the states had no right to secede, then, of course, the Union had a right to their remaining in the confederacy. But if it had such a right, it must also have had the power to defend it. A right that in principle cannot be defended is the most monstrous *contradictio in adjecto* conceivable.

Buchanan would never have been able to adopt this contradictory construction of the constitution if he had been entirely clear that, in the life of states and nations, crises like the one which had broken over the Union are never determined, in the first place, by questions of law. Actual circumstances are stronger than the law, and hence they are decisive, even when indisputably in conflict with the law. In the case before us, however, they were so much in harmony with it, that, wherever thought and feel-

1 "Altogether contradictory." Congr. Globe, 2d Sess., 36th Congr., p. 5.

ing remained even in a small degree uninfluenced by preju dice, they would have greatly facilitated and powerfully aided the correct and natural apprehension of the question of law. Not only had the Union been made a real state by the constitution, in point of law, but, by the constitution, and under the constitution, it had, during seventy years, actually become more and more a real state. Doctrines which could have had a foundation in actual circumstances at the time of the Philadelphia convention might therefore have lost it entirely in the course of years. Then, indeed, it would not have been peculiarly surprising if a powerful argument had been made in defense of Buchanan's contradictory doctrine or of a constitutional right of secession, or a right of secession above the constitution. But the claim to a right of secession had now become so palpable an absurdity, that it would have been seen to be such even by a child, if it had not been asserted by a large geographical section of the country. This fact alone it was that struck numberless eyes with such blindness that they could no longer see the mid-day sun. That there is no exaggeration in this comparison should, at the present day at least, not be disputed by any reasonable man.

If a state could secede it might also be expelled; that is, the other states might secede from it. But if there was both the right of secession and the right of expulsion, then the admission of every new state was a further enfeeblement of the Union. The recommendation of the purchase of Cuba from Spain, repeated by Buchanan in this message, afforded Douglas an opportunity to illustrate this in a very forcible manner. What a splendid bargain, he said, we could make, according to the president's doctrine. We might buy the island for $300,000,000, and immediately admit it as a state, to see it secede next day and have it offered us again the day after by Spain, for one-half or for

double the sum paid for it in the first place. And this criticism could not be dismissed with the remark that anything might be made ridiculous by laying on too thickly the colors of theoretical possibilities which could never become practical. Douglas's painting was true to life. Heavy sums in various forms had been paid for great portions of the Union, and several states formed out of them were now upon the point of bidding the Union good-bye. The example cited by Douglas could be called forcible only because the eventual loss to the Union by the secession of a state might be a terribly severe one. If a state left the Union, taking with it the mouth or some other material part of a stream, like the Mississippi, the country would be much more severely injured than it could be by the loss of any sum that might have been paid for Cuba. As the Union had become what it was without the island, its possession in the future could at best be advantageous but not necessary. Buchanan's doctrine of the right of secession and non-coercion was worse than Shylock's bond. The flesh of the Union might be cut out of her at any time — not merely a pound of it but any quantity — not only next the heart but in any vital part — and not for the payment of a debt or obligation incurred under the pressure of the most urgent necessity, but simply because such was the good-will and pleasure of any one of the states! More yet. All that the Union had done to protect itself from external enemies might, at any moment, be used as an engine of destruction against it, at the sovereign whim of the states. The acquisition of Florida had been determined very largely by military considerations regarding the Gulf states. If Florida now thought proper to secede from the Union with the fortifications erected by it, not only would the Gulf states be robbed of the bulwarks built for their protection, but it lay entirely with Florida to decide whether it would turn the guns

posted on their ramparts against these states and the rest of the Union. If the states had the right to secede they might, of course, do so when the Union was at war with a foreign power as well as in times of peace, and, as a natural consequence, secession would be followed by an alliance with the enemy of the Union. Every new state admitted into the Union would increase the number of those to whom it had absolutely made over its own life, and every new fort built by the federal government would be an additional loaded bomb laid by it under the foundation of the Union.

The right of secession was sheer absurdity, and absurdity can never be changed into sense by any constitutional reasoning, no matter how astute. The greater folly, however, was not the right of secession but the doctrine of non-coercion. The right of secession made the Union simply a confederation of nations, and although it was not that either constitutionally or actually, it was possible for it to be such a confederation. But the doctrine of non-coercion made it an absolutely inconceivable political monstrosity: a state prohibited to be what it legally and actually was, and whose government should, simultaneously, do what it should not do, and not do what it should do, because it was its duty to do what it ought not to do.

Hale summed up the entire message, so far as it related to the internal crisis, in these three points: 1. South Carolina has just cause to secede. 2. It has no right to secede. 3. We have no right to prevent its seceding.[1] His reproach, however, that the president, like the ostrich, thrust his head into the sand instead of telling congress, as his constitutional duty required him, what, in his opinion, should be done, was only partly justified. He had recommended absolute submission to the majority. The message, however,

[1] Congr. Globe, 2d Sess., 36th Congr., p. 9.

so skilfully avoided saying anything explicit about what should be done if this recommendation were not heeded, that it left the country entirely in the dark on that all-important question which was really the only one before it. But was Morris, of Illinois, entirely unjustified in saying: "He who preaches against the wrong, and yet is not in favor of redressing it, is a worse enemy to the government than the avowed disunionist, because he betrays it with a kiss."[1]

That Buchanan wanted to betray the Union with a kiss not even his bitterest opponent has ever charged or even ever suspected. But whether he did not reluctantly do so is quite another question. The message, said the London *Times*, has dealt a heavier blow at the Union than all the ranting of the governor of Georgia and all the secession ordinances of South Carolina.[2] It could be understood only as the announcement that the road would be left clear, nay kept clear, so far as in his power lay, for the secessionists, until the 4th of March. It told them that they had nothing to fear, and yet it did not satisfy them. In drafting it, he had called the future president of the Confederate States to his side, as his counselor,[3] and the result, as he

[1] Ib., App., p. 49.

[2] "Never for many years can the United States be to the world what they have been. Mr. Buchanan's message has been a greater blow to the American people than all the rants of the Georgian governor or the 'ordinances' of the Charleston convention. The president has dissipated the idea that the states which elected him constitute one people. We had thought that the federation was of the nature of a nationality; we find that it is nothing more than a partnership." The London *Times*, Jan. 9, 1861. Reb. Rec., I Doc., p. 25.

[3] "On paying my respects to the president, he told me that he had finished the rough draft of his message, but that it was still open to revision and amendment, and that he would like to read it to me. He did so, and very kindly accepted all the modifications which I suggested. The message was, however, afterward somewhat changed, and, with

himself declares, was that his southern friends turned their back on him.[1]

great deference to the wisdom and statesmanship of its author, I must say that, in my judgment, the last alterations were unfortunate." Jefferson Davis, The Rise and Fall of the Confederate Government, I, p. 59.

[1] "After my annual message of the 3d of December . . . the southern friends of the administration fell away from it." Buchanan to Gen. Dix, April 19, 1861. Curtis, II, p. 542. According to Pollard's description of the feeling among the leaders of the secession movement (Life of Jefferson Davis, pp. 57, 58), one might suppose that they fell away only because Buchanan, by denying the right of coercion, had blocked the game. The succeeding chapters will afford sufficient material to enable the reader to pass judgment on that view.

CHAPTER X.

VOGUE LA GALÈRE.

Curtis[1] calls it unjust to judge Buchanan's policy of passivity in accordance with subsequent events, and he refers to the fact that before Lincoln's election the republicans did not believe that the threats of secession would be carried out. But how can the president find shelter behind an error of the republicans which he did not himself share? It was not because he harbored optimistic illusions, but because his judgment in this question was right from the very beginning, that, in the fulfillment of his duty, he thought well to recommend to congress the measures that seemed proper to him, strongly to advocate submission to the majority, and to recommend it and it alone. This plea, therefore, cannot excuse even the slightest part of his guilt. Buchanan, indeed, had a right to accuse congress of having a share in that guilt. From the very first it was certain that it would only drive the ship deeper into the breakers. And this charge cannot be laid at the door of the democrats alone. The republicans bear no small part of the responsibility. They might indeed say: Our patriotism was great enough to be ready to make many sacrifices; but they could not assert: We saw the right and demanded it, but could not prevail.

Reuben Davis[2] thus describes the mood of congress when it reopened: "The south was dignified and composed. All the turbulent passions which had been displayed during the past session seemed to have been laid aside and replaced by

[1] Life of J. Buchanan, II, pp. 304, 305.

[2] Recollections, p. 395.

the order and method of men bent upon serious business. It was no longer necessary on either side to lash the popular feeling into fury. . . . It was plain that the south knew what was coming and awaited the shock with stern determination."

The republicans should have inferred from this that such a sea could not be calmed by pouring oil upon its waters. They did not, however, ask themselves how the secession movement could be most surely suppressed, but merely how it could best be kept within bounds. Sherman's motion, which was in accordance with custom, to refer the president's message to the "committee of the whole on the state of the Union," was not agreed to. The amendment to refer "so much" of it as related "to the present perilous condition of the country" to a special committee of one from each state was passed by a vote of one hundred and forty-five against thirty-eight. Expedient as this might seem at the first glance, it was unmistakably the announcement that another experiment was to be made with the brewing of compromise mixtures. The fact that the motion was made by a representative from Virginia (Boteler) excluded all doubt as to this. No member of the house certainly could have been ignorant of it, and yet the majority of the republicans voted with the democrats in favor of the amendment. But to confer about a compromise was to negotiate concessions, and every concession on the part of the republicans was the payment of a penalty for their electoral victory constitutionally won. Their vote for Boteler's amendment involved the declaration that they were ready to discuss the granting of an indemnity for the recognition of the supremacy of the law, and for submission to the constitution. As what the south wanted, however, was conditions, the slightest concession was equivalent to the surrender of the fundamental principle of national ex-

istence. The more extravagant the demands, the less could it be excused that men closed their eyes to this fact. And they were so extravagant that the slavocracy would have gained much more by their defeat than they would have acquired by a dozen democratic victories. But the end desired would not have been reached even if all their enormous expectations had been realized. Bingham subsequently said: "It is in vain to endeavor to save the constitution by a sacrifice of the great principles which underlie it, and which constitute its life."[1] And if it had been pos-

[1] Congr. Globe, 2d Sess., 36th Congr., App., p. 80. Many organic changes in the structure of the Union, which would have transformed it into a monstrosity, were asked for. Some of the most absurd proposals were made by northerners. See Congr. Globe, 2d Sess., 36th Congr., pp. 77, 78, 79, 107. The pressure exercised by patriotic anxiety on political thought was so terrible, in the case of some people, that it was a question whether they could still be considered responsible. In point of ability Vallandingham stood undoubtedly in the foremost rank of the younger democratic politicians of the north, and yet to him belongs the unenviable reputation of having devised the most preposterous project of all. He applied the principle *similia similibus curantur* to politics, but thought that the poison should be administered in the strongest doses, in order that it might act as a cure. The Union was rent asunder because its equal members had actually consolidated on the ground of the slavery question into two geographical sections, and he would render the sectional quarrel harmless by a provision in the constitution dividing the Union into four geographical sections. This he concisely and clearly expressed in his statement of reasons with which he introduced his three amendments to the constitution. The first reads: "The United States are divided into four sections as follows:"— the free eastern states, the free western states this side of the Rocky Mountains, the domain of the Pacific, the slave states. "Sec. 2. On demand of one-third of the senators of any one of the sections on any bill, order, resolution or vote, to which the concurrence of the house of representatives may be necessary, except on a question of adjournment, a vote shall be had by sections, and a majority of the senators from each section voting shall be necessary to the passage of such bill, order or resolution, and to the validity of every such vote." (That is to put brakes on the legislative coach.) "Sec. 3. . . A majority of all the electors in each of the four sections in this article established shall be

sible in itself it could not have been done, because the southern leaders, as even Stephens himself had sadly to admit, did not want it to be done.[1]

The committee of Thirty-three was still-born. This was shown irrefutably by the vote, notwithstanding the large majority in favor of its appointment. Only the smaller part of the republicans seemed to intend to remain firm. But the minority was so respectable that any agreement against which they protested could have but a very doubtful value. And the opposition was not confined to their

necessary to the choice of president and vice-president; and the concurrence of a majority of the states of each section shall be necessary to the choice of president by the house of representatives, and of the senators from each section to the choice of vice-president by the senate, whenever the right of choice shall devolve upon them respectively." (That is, to make the constitutional election of a president or vice-president impossible so long as slavery existed.) The second (XIV) article reads: "No state shall secede without the consent of the legislatures of all the states of the section to which the state proposing to secede belongs. The president shall have power to adjust with seceding states all questions arising by reason of their secession; but the terms of adjustment shall be submitted to the congress for their approval before the same shall be valid." Ib., pp. 794, 795. But what was to be done if no agreement could be reached as to the "terms of adjustment," or if a state seceded without having received the consent of the legislatures of all the states of the section to which it belonged? Vallandingham, as an unconditional "non-coercionist," was wise enough to leave these questions unanswered.

[1] He writes on the 30th of November: "I am daily becoming more and more confirmed in the opinion that all efforts to save the Union will be unavailing. The truth is, our leaders and public men who have taken hold of this question do not desire to continue it on any terms. They do not wish any redress of wrongs; they are disunionists *per se*, and avail themselves of present circumstances to press their objects; and my present conviction is that they will carry the state with them by a large majority." And on the 3d December: "I fear it will all come to naught; that it is too late to do anything; that the people are run mad. They are wild with passion and frenzy, doing they know not what." Johnson and Browne, Life of Alex. Stephens, pp. 369, 370.

thirty-eight votes. A number of southern representatives — two from Mississippi, one from Florida, three from Alabama, one from Georgia, and all from South Carolina — took no part in the vote because, as they said, their states had taken the matter in hand themselves.[1] The doings in the committee were in consonance with the attitude of these two minorities, and not with the intentions which the vote of the overwhelming majority seemed to have determined. Reuben Davis, whom the speaker had chosen as the representative of Mississippi, and who, to the great grief of his namesake in the senate and of other colleagues, had accepted the nomination because — as he wrote home in his own justification — the plates of a feast of blood were not to his taste, gives the following account of them.[2]

After Corwin, of Ohio, had been chosen chairman, the representatives of the southern states were asked to state their grievances in a memorial. As this general invitation was not heeded, it was directed personally to him (Davis) for the reason that Mississippi played a leading part in the secession movement. He, however, declined drawing up a written list of grievances, on the ground that it was unnecessary, and then expatiated extensively, bitterly and passionately on all the wrongs which the south had had to suffer. The answer he received was an arrogant one, and afforded no prospect of alleviation. He thereupon moved to report to the house that the difference between the sections could not be settled, and that they must appeal to the God of battles. This motion was rejected. On the evening of the following day (December 13), Rust, of Ar-

[1] Miles, of South Carolina, declared: "The South Carolina delegation have not voted on this question because they conceive they have no interest in it. We consider our state as already withdrawn from the confederacy in everything except in form." Congr. Globe, 2d Sess., 36th Congr., p. 7.

[2] Recollections, p. 399 ff.

kansas, whom the news of the ever-increasing war-feeling in the south alarmed, introduced a resolution assuring the people that the committee, who were working in harmony, would doubtless unite on a proposition which would satisfy the south. To Davis's reproof, that he was alleging a known untruth, Rust had no answer to make. The resolution was adopted. But, in accordance with the announcement he had previously made, Davis and "many" other southerners had drafted a manifesto on the 14th, and telegraphed it to all parts of the country. It gave the lie to the resolution, and declared all further discussion to be useless.[1] "From that day there could be no hope of peace." On the day following, however, Davis introduced a resolution in which it was declared to be the duty of the federal government to protect slave property as well as all other property, on land and water. All the southern members acquiesced in it, and agreed, if the committee adopted it, to recommend it to the house as the final settlement of the slavery question, but that if it did not adopt it, to take no further part in its deliberations. It was rejected by the casting vote of the chairman. The southerners, in accordance with their agreement, left the committee room, and repaired to the house with the intention of asking to be allowed to leave it. Davis alone, who had come before the others, was excused, because what had been done in the committee was not yet known. Even if the others could be refused permission to leave the house, it was impossible to inspire the committee, held together against their will, with the spirit which was the first precondition of the attainment of a result from which the house or the people could expect anything. Those who on the 14th refused to believe that all hope of peace was dead needed no further proof of it on the 17th.

[1] "Argument was exhausted."

Buchanan in the meantime had gone a great way farther in his policy of non-irritation and of keeping the way open for secession. He had a conference on the 8th of December with the representatives of South Carolina, the object of which was to avoid a collision in the harbor of Charleston. The conference closed to their mutual satisfaction. That satisfaction, however, was of short duration. Events soon raised a bitter controversy and one pregnant with consequences, as to how far the president had gone in his promises. As, of course, no stenographic reporter had been called to attend the conference, it can never be documentarily proved to what extent the direct charge of breach of word, brought against Buchanan by the representatives and by Floyd, the secretary of the navy, was well founded. But enough can be indisputably proved not only to warrant us in condemning his course politically, but to exhibit it in a very ambiguous light.

After Miles had announced in the house that the delegation of South Carolina did not take part in the vote because they considered that the withdrawal of the state from the Union had, except as to the form thereof, already taken place, it did not beseem the president to receive them on such an affair. Even if it had not been his intention to negotiate with secession, his reception of them must make it appear that he was ready to do so, and that appearance he should have avoided both for political and constitutional reasons. From the records of the later controversies it appears beyond a doubt that the representatives had not come to the conference supposing that it was to consist merely in an exchange of private opinions, but that official negotiations, binding, at least morally, were to be entered into. The reader may judge for himself from the following facts whether it can be assumed that the president opposed this supposition with the requisite clearness and positiveness.

The most material declaration of the five gentlemen was reduced to writing on the 10th of December [1] at Buchanan's request and handed to him. It recited that according to their firm conviction neither the state authorities nor any part of the population of South Carolina would attack or molest the forts in the harbor of Charleston, "previously to the action of the convention," nor before an accredited representative was dispatched with an offer to negotiate an amicable settlement of all the questions at issue between the state and the federal government, "provided that no reinforcements shall be sent into those forts, and their relative military status remain as at present."

Why did the president require the delivery of the declaration in writing if he did not wish to refer third parties to it as a proof that he was justified in considering South Carolina under certain moral obligations? And with what right could he assume that the representatives would impose such an obligation on their state without return? Was it not self-evident that they agreed to give the written declaration only because the utterances of the president had been interpreted by them to mean that he would consider himself bound to them, that is to the state of South Carolina, in the same way and to the same extent? The president had, indeed, written on the back of the declaration that he had guarded himself against the proviso in it, because it might be interpreted as "an agreement on his (my) part which he (I) could never make," and that the representatives had replied that they had not intended to imply such an agreement by that proviso. It does not, however, appear when this memorandum was written, and that is of course a question of no small importance. It is not dated, and mentions a subsequent conversation, but does not state when the latter took place. As the quotation given above is

[1] It is dated the 9th.

to be found verbatim in the answer of the president of the 31st of December to the commissioners of South Carolina, and as the probability, in itself not great, that the president searched for it in order to copy it, is still further lessened, for a reason to be mentioned hereafter, the wording of it given by Curtis, although not expressly claimed to be simultaneous, yet tacitly assumed to be so, is exceedingly questionable. At all events it cannot be proved that greater force as evidence is to be ascribed to it than to the president's answer already mentioned of the 31st of December, and the latter has none whatever, since it is a defense against the charge made — simply an assertion against another assertion. The wording of the memorandum, however, by no means necessitates a negative answer to the third question raised above. If the "agreement" was to be understood as a formal compact, the representatives had no reason to object to Buchanan's protestation. For they could not possibly overlook the fact that, as Buchanan stated in his letter of the 31st, neither party had a right to enter into such a compact. Their written declaration shows that they kept strictly within the limits of their own powers, and from their answer, as related by Buchanan, to his objection, it appears only that they did not want to demand more from him than they had to offer; but it should not be interpreted to mean that they would be satisfied with less, or that they asked for nothing. But from the express refusal to enter into a formal compact, it does not at all follow, *eo ipso*, that Buchanan could not have expressed himself in a manner which might be understood to imply a promise of the full value which the word of a man of honor has without any formal agreement.[1] That the representatives

[1] According to the relation of the under secretary of state, Trescott, of a conversation which he had with the president about the facts, the latter had said to him: "He was trusting to the honor of Carolina, and

inferred such a promise from his words, they asserted over and over again, and there is not the slightest reason to suspect them rather than Buchanan of a known untruth. The assumption most favorable to the latter, therefore, is that nothing more than a lamentable misunderstanding existed, and the documentary material extant must be examined with a view of determining which party is probably to be blamed for it.

In his letter of the 31st of December[1] Buchanan says that he had "freely expressed" his well-known "determination" not to reinforce the forts before they were attacked, or before he had certain proof that they would shortly be attacked. He moreover boasted that he had acted as he would have done if he had made "a positive and formal agreement" with competent persons. With the unreserved announcement of such intentions, not to lapse into modes of expression which might be taken for an assurance in the sense intimated, great clearness and acuteness of thought, as well as an unusual mastery of words in all their shades of meaning, were required. But three of the members of his own cabinet objected to both the matter and form of the answer which Buchanan wanted to send to the commissioners of South Carolina in this behalf, although he had with full deliberation reduced it to writing in the quiet of his own office. How this draft read we do not indeed know,[2] but we do know that it did not satisfy Black, Holt or Stanton, because it did not clearly and positively deny the allegation with respect to the promise made, and that in

they ought not to suspect him; he was acting under the obligation of his honor; and I — and the state might rely upon it — would redeem it to the uttermost." Crawford, The Genesis of the Civil War, p. 84.

[1] Reb. Rec., I Doc., pp. 12, 13. It is here falsely dated the 30th.

[2] Black's "memorandum," to be discussed hereafter, gives us, however, a sufficient idea of its character to show that Curtis's attempt to turn this circumstance to account for his thesis was wholly unwarranted.

consequence of their criticism the letter was given the form in which it was sent to the commissioners.[1]

Whether the aged secretary of state sided in this controversy with the South Carolinians or with the president, I do not know. But it seems very surprising to me that, on the day after the second conference, Cass informed the president — as the latter says, to his great surprise [2] — of his intention to resign. The letter of resignation dated the 12th, but not handed in until the 15th, does not say a word about this circumstance. As Cass's announcement followed the second decisive conference so immediately, and as the request that his resignation be accepted was based upon the fact that his repeated and urgent advice to reinforce the forts and to send a man-of-war to Charleston was not followed,[3] it is likely that, even if Cass did not believe

[1] Curtis indeed has little to say against this. But he (II, p. 376) finds irrefutable proof that the accusation regarding the promise is unfounded in the instructions to Major Anderson. We shall have to mention hereafter what these instructions contained and how they were understood by Buchanan. Here we need only call attention to the fact that they are used by Curtis as a proof of his statement, because the conference of the president with the representatives took place after the instructions had been given. But he gives the right dates himself of the conferences on the 8th and 10th of December, and of the instructions on the 11th. He does not state,— at least not here,— although he knew it, that, according to Buchanan's own testimony in the letter of the 31st of December, the instructions of the 11th to Anderson were brought to his notice only on the 21st.

[2] Curtis, II, p. 399.

[3] If Cass had repeatedly urged on the president the views on account of which he now resigned, it is likely that he did so again, during the last few days. But if this assumption is well founded, it may be further presumed that he brought to the president's notice also, if not the entire text at least the contents of a letter of General Wool, relating to the question, and dated the 6th of December. As Wool was in command of the department of the east, to which South Carolina, Georgia, Florida, Alabama and Mississippi belonged, his opinions certainly deserved to be heard, and he asked much more emphatically than

that a promise had been given, he had, in consequence of the course of these negotiations, lost all hope that the president would change his mind on this question. His resignation was immediately accepted; Black was appointed his successor, and Edwin M. Stanton attorney-general.[1]

Scott ("no time should be lost;" "at once") that full power over the harbor of Charleston should be assured. It is certainly worthy of note that Scott was not the only general who believed that something might be achieved with the forces already available, if use were immediately made of them. The most important parts of the letter are these: "You have eight companies at Fort Monroe, Va. Three or four of these companies should be sent without a moment's delay to Fort Moultrie. . . . It is said that to send at this time troops to that harbor would produce great excitement among the people. That is nonsense when the people are as much excited as they can be, and the leaders are determined to execute their long meditated purpose of separating the state from the Union. So long as you command the entrance to the city of Charleston, South Carolina cannot separate herself from the Union. . . . The Union can be preserved, but it requires firm, decided, prompt and energetic measures on the part of the president. . . . If a separation should take place, you may rest assured blood would flow in torrents, followed by pestilence, famine and desolation. . . . Peaceable secession is not to be thought of. Even if it should take place in three months we would have a bloody war on our hands." Reb. Rec., I Doc., p. ii.

[1] According to a memorandum of Buchanan furnished by Curtis, Cass informed him, two days later, through Thompson and Black, that he desired to withdraw his letter of resignation. If his former colleagues had understood him correctly, this was certainly a proof that the irresolution of which Buchanan had accused him had developed into senile weakness. That, according to the same memorandum, he found no objection, at the cabinet meeting, to the annual message, except that it did not declare still more positively against the right of congress to make war on a state, in order to force it to remain in the Union, should, in my opinion, have only given his advice, to see to the safety of the forts and the continued collection of the customs duties, all the greater weight in Buchanan's eyes. The more age had told upon him, and the more absolutely he approved the opinions of the president on the right of coercion, the more withering is the judgment contained in the fact that the political and patriotic instinct of this man saw in the policy of passivity an unpardonable mistake.

It is plain why, under these circumstances, as little heed was paid to Scott as the first time, when, on the 15th of December, he repeated his advice in a personal conference with the president.[1] Instead of sending reinforcements to the forts, Buchanan sent Caleb Cushing to Governor Pickens to lay before him the reasons which should move South Carolina to desist from secession, or at least to postpone it.[2] Even if it be an open question whether, and to what extent, Buchanan obligated himself to the secessionists, it is documentarily established that he negotiated with them officially — negotiated with them, if they would concede no more, to obtain, at least, a postponement.

Even before Cass, Cobb, the secretary of the treasury, had left the cabinet, "his duty to Georgia requiring it."[3] Ph. F. Thomas, of Maryland, succeeded him.

These changes in the cabinet were not a matter of indifference. From Thomas nothing was to be hoped for, but less to be feared than from Cobb, and, to that extent, the exchange was a gain. Stanton was so much of a *novus homo* on the stage of national politics that the great majority of the people did not know what to expect of him. It was said, however, that he was not made of dough. Black, unlike Cass, did not have one foot in the grave, was still physically and mentally in his prime, had more initiative, vigorous courage and more self-conscious firmness. The atmosphere of the cabinet had, therefore, become purer and more bracing, and hence there was some foundation for the hope that the course of the executive would assume a more worthy character. But these changes in the personnel of the cabinet did not open the slightest

[1] Among the reasons that made it plain, Buchanan himself mentions "the president's pacific interview with the South Carolina members." Mr. Buchanan's Administration, p. 168.

[2] "The reasons which exist to prevent or to delay." Curtis, II, p. 368.

[3] McPherson, Political History of the Rebellion, p. 28.

prospect of a change of system. The author of the opinion of the 20th of November could never be the right leader in such a crisis, because he was not able himself to find the way out of the labyrinth of his constitutional doctrinarianism. It may be that the revolution would have cast him out of it, but then better knowledge would have come too late, and he who has sent out Saul does not immediately follow Paul. Besides, treason still had its feet under the cabinet table in the White House. It is now universally conceded that Floyd, secretary of war, played the part of the unadulterated Fire-eater, partly in order to conceal the fact that his withdrawal was due to dishonest manipulation of government money. Whether, on the other hand, he also falsely surrounded himself with the halo of treason for the same reason, or whether it really rightly belonged to him, is still a disputed question. Since so reliable a witness as Reuben Davis, despite the report of the committee of the house of representatives, which Curtis looks upon as a complete refutation of the charges, has recently positively declared the latter view to be the correct one,[1] it will presumably continue to prevail.

If Floyd's loyalty to the Union up to the time of the compromising revelations of the dishonesty just referred to is not a part of the Buchanan historical legend, then it must have been a mask, and a rather transparent one. But whatever may be true of Floyd, it is well established that the secretary of the interior was a secessionist agitator and agent. Clingman's story, that, according to his own state-

[1] "I spent much time in consultation with Mr. Floyd, secretary of war, who had been for twelve months, and still was, engaged in sending to the southern arsenals all available arms under his control. He had put our forts in such condition that it would be easy to capture them and prepare them for immediate occupation. His estimate was that fully half of the munitions of war in his department were in the south on the 15th of December, 1860." Recollections, p. 395.

ment, this had been expressly approved by Buchanan,[1] seems to me to exceed the limits of the credible. But it is just as inconceivable that the president knew nothing about it, for in his views on what private and official honor demanded, Thompson could not find the slightest motive to appear to be other than he was in this respect. But again, Buchanan did not see in all this any reason to dismiss him. It does not, however, follow herefrom, that Thompson's ideas or the manifestation of them were agreeable or even indifferent to the president. It might have only irritated the secessionists if their men were dismissed from the cabinet, and the watchword was: On no account any more excitement or irritation, but reconciliation — win every one over!

That the president would not and could not become other than he was, was the main cause, one which could not be removed by any change in the personnel of the cabinet, why a change of system was impossible. Grimes

[1] Clingman relates that Thompson had told him in the middle of December that Mississippi had appointed him a commissioner to go to North Carolina, and induce that state to secede: "I said to him, 'I did not know you had resigned.' He answered, 'Oh, no, I have not resigned.' 'Then,' I replied, 'I suppose you resign in the morning.' 'No,' he answered, 'I do not intend to resign, for Mr. Buchanan wishes us all to hold on, and go out with him on the 4th of March.' 'But,' said I, 'does Mr. Buchanan know for what purpose you go to North Carolina?' 'Certainly,' he said, 'he knows my object.' He, Clingman, could not believe this, and induced the secretary to lay the matter before the president again. Thompson, however, told him on the evening of the same day: 'I knew I could not be mistaken. I told Mr. Buchanan all you said, and he told me that he wished me to go and hoped I might succeed.' I could not help exclaiming, 'Was there ever before any potentate who sent out his own cabinet ministers to excite an insurrection against his government.' The fact that Mr. Thompson did go on his errand, and had a public reception before the legislature, and returned to his position in the cabinet, is known." Selections from the Writings and Speeches of the Hon. T. L. Clingman, pp. 526, 527.

wrote to his wife, on the 16th of December, that Buchanan divided his time about equally between prayer and tears.[1] One could not, according to Buchanan's own testimony, have made a greater mistake. On the 20th of December he wrote to a gentleman in New York: "I have never enjoyed better health or a more tranquil spirit than during the past year. All our troubles have not cost me an hour's sleep or a single meal."[2] This is more in consonance with the nature and measure of his own self-estimation than what, according to Grimes, was circulated about him among the public. He, indeed, conceded that he might have made mistakes, but to the end of his days he took good care that no one should believe he knew he had ever made any.[3] To the very last he could not obtain that knowledge, because to the very last the one thing which was the cause of all his mistakes was unintelligible to him. As his nephew, J. Buchanan Henry, says, "he emphatically did not believe in the 'higher law,'[4] that is he left the moral side of the question entirely out of consideration. Hence it was always self-evident to him that only a diplomatic treatment of it was allowable, and could be crowned with success. But whether he still really believed that he could attain the desired end by diplomacy must, to say the least, be looked upon as very doubtful. If it were true that the peril of his country had not been able to rob him of a single hour's sleep, the principal reason of it lay in his confidence that the clash would not come during his administration. To prevent it until his term of office had ended was the all-controlling consideration in whatever he did or left un-

[1] Salter, Life of James W. Grimes, p. 132. He adds: "Such a perfect imbecile never held office before."

[2] Curtis, II, p. 355.

[3] See the letter of the 21st of October, 1865, to C. J. Faulkner. Ib., II, p. 643.

[4] Ib., II. p. 674.

done, and in this he met the wishes of the secessionists, while the republicans lent him a helping hand in his endeavor."

Welles, who as a member of Lincoln's cabinet had opportunities to be well informed, says it was a demonstrated fact that Seward had carried on secret negotiations with certain leading secessionists to avert a collision before the 4th of March.[1] His motive was the hope that, as real head of the new administration, his superior genius for statesmanship would succeed in some way in effecting a peaceable settlement of the controversy. According to his own testimony he was still wholly uncertain as to the manner of its settlement. On the first day of the session he had, as he wrote Weed, told the republican senators, in answer to their inquiry: "They would know what I think and what I propose, when I do myself."[2] If, as he relates in the same letter, people had received him in Washington thinking that he had a cut-and-dried compromise scheme in his pocket, they were greatly mistaken. But the supposition was not destitute of all foundation. The inflexibles did not have his approval, and he felt confident that himself and events would soon make them more pliant.[3]

The immediate cause of that erroneous supposition of the politicians in Washington was some newspaper articles which, it was thought, could be traced to him. They really came from Weed, whose old influence on the direction of Seward's political thought and action was still exerted to the fullest extent. But events since the 6th of November had brought new light to Weed. He rightly recognized

[1] Letter of the 3d of December, 1860.

[2] Letter of December 3, 1860. Barnes, Mem. of Th. Weed, p. 308.

[3] "The republican party to-day is as uncompromising as the secessionists in South Carolina. A month hence each may come to think that moderation is wiser." l. c.

that the decisive question confronting the people now was no longer the same as before that day, and that, if the republican party were equal to its task, it must draw the conclusions that followed from that fact; but the conclusions he drew from it himself were a strange admixture of what was right and what was wrong. The articles referred to were clothed in language so vague that they had produced only a certain general disquietude in the more radical wing of the party. Not until the 7th of December did one of them, in the Albany *Evening Journal*, bear the character of a programme or rather of a manifesto. It not only created a great sensation, but exercised a wide-felt influence. It cannot, indeed, be said that it generated the feeling and the ideas which, in the then situation of affairs, were the fundamental condition necessary to the final solution of the frightful problem. But that feeling and those ideas had hitherto been latent. This article dealt the blow that caused them to gush forth, and made them the motive force of a tendency consciously pursued.

Weed, in his autobiography, says that it "had for its object the holding of the border slave states in the Union, so that the boundaries and strength of the rebellion might be narrowed and weakened. It maintained that radical abolitionists were playing into the hands of disunion leaders, and that both would become responsible for the civil war into which we were drifting." It "drew the line between radical and conservative republicans and continued as an issue before the people during the war. It was written under a conviction of its necessity in preventing a disastrous division of the northern people. I believed then, as I know now, that but for the conservative sentiment awakened in the republican party, the north would have been fatally divided. I believed then, as I know now, that by insisting that the war was prosecuted to maintain the government and preserve the Union, the democratic masses

with some of their leaders would remain loyal, while, on the other hand, if the whole republican party proclaimed it a war for the abolition of slavery, a united south would prove too strong for a divided north."

So far as the border states were concerned, the article could produce no effect, because it started from false premises. But the unity of the north was, indeed, the *conditio sine qua non* of the suppression of the rebellion, and the north could be united only provided — and not as a false pretext required by tactical considerations, but in honest conviction — the word went forth that, until further notice, the slavery question had ceased to be the problem of national politics, and that the rebellion was the question on which the entire people, men and women, had to take sides, positively and without reserve. In this respect, therefore, Weed deserves the eternal gratitude of his country on account of the clearness and force with which he made this demand. But the article had demanded more and something different from what this characterization of it shows. If Weed had not read it over before it received its final shape, he may, in good faith, have fallen into the error here referred to, for the development of events must have tended to keep what was right in his views fresh in his memory, because it had been demonstrated to be essential, while what was wrong in them was liable to be forgotten, since it had conjured up a danger only for a while, but had actually caused no lasting injury.

According to Weed's analysis, "radical abolitionists" and "radical republicans" must be taken as synonymous. In reality they had nothing in common. The former were still a small faction and could exercise very little direct influence in any respect. The latter, at the time, gave just as little thought to the abolition of slavery as did Weed himself. True the article drew the line between radical and conservative republicans, but it did so by demanding now,

before there was any war and before a single state had declared its secession, that people should show themselves ready to listen to reason on the slavery question, in order either to avoid war, or, if war became inevitable on account of secession, to unite the whole north for the struggle to restore the Union. The article was inspired by the idea that even now, as Weed had already expressed himself in a letter of the 10th of December to Preston King, the issues of the last electoral campaign were "practically obsolete," because, with Lincoln as president, there was no reason for anxiety about the territories,[1] and that, therefore, the republicans could and must show a conciliatory disposition for the sake of the incomparably greater question. That was a fallacy, for to the extent that they now, under the threat of secession and before Lincoln's inauguration, receded from the programme of the electoral campaign, they surrendered the principle of the supremacy of the law; and not the preservation of the Union in itself, but the preservation of the Union with the principle of the supremacy of the law absolutely intact, as its foundation-stone, could be rightly declared the question that overshadowed all things else. Although we have been "all our life showing up the dark side of the slavery picture," said the article, "in view of a fearful calamity, there is no want of consistency or of fidelity in going to the verge of conciliation with the hope of averting it." Weed therefore separated from the radical republicans not because they wanted to exceed the official party programme and wage a war of annihilation against slavery contrary to its express declarations, but because he thought he should no longer adhere to that programme. They did not advance but wanted to stand still; he, however, demanded that they should retreat. The question what stand the party should take on slavery in

[1] Barnes, Th. Weed, II, p. 309.

case of rebellion belonged to the future, and, therefore, even it was not the first thing discussed by him. His first object was, as appears beyond a doubt from this sentence, to prevent that question changing from a theoretical into a practical one, and he wanted to prevent it by sacrificing that which gave the republican party its right to existence. The republican party was to hold itself in readiness, in consideration of the disclaimer of rebellion, to disclaim that the victory of the 6th of November, won in the struggle for principles, was a victory of principles. It looked like self-mockery to deny this, and to allow his organ to declare two days later that it was "almost prepared" to accept Douglas's doctrine about the territories, or, if that was "inadmissible," to consent to another dividing line which would perhaps be ultimately erased, like the Missouri line, by the south, but certainly not for long years to come.[1]

Such preaching by such a man could not but find hearers. Now the seed fell on ground which promised to yield fruit a hundred-fold in a single day. It looked as if the good old times of abolitionist hunting were about to return. Demonstrations in that direction had already been made by the mob in Boston, Philadelphia and Brooklyn — and not of the unwashed only — with the best of success; and the New York *Tribune* was not talking at random when it expressed the fear that these were only "feelers," and that a great movement was organizing.[2] Naturally the flames of

[1] "But not in our generation or the next, nor indeed until the lessons of the last six years have been forgotten."

[2] "We are probably on the verge of a great pro-slavery revival. The cry of 'the Union in danger!' is calculated and intended to unite avarice and ignorance, wealth and ruffianism, in a grand crusade against every aspiration for universal freedom. The mob demonstrations already incited in Boston, in Philadelphia, in Brooklyn, are manifestly but feelers put forth to ascertain what the public mind will bear, and destined, so far as their success will allow, to be succeeded by more de-

this fire of reaction kindled by the democrats was much too hot even for the moderate republicans, but the wood with which the fire was fed was cut largely by their own leaders, and no one was more active in hewing it than Seward himself. On the 22d of December he delivered an impromptu speech in the Astor House, New York. Altogether contrary to his custom, he paved the way for his political oracles by a long series of witticisms, which, considering the frightful gravity of the situation, coming as they did from the mouth of the future secretary of state, should have called forth not repeated bursts of merriment, but of indignation, as unworthy of the time and of the man. The oracles, however, amounted simply to Buchanan's *recipe* — not to be so foolish as to lose one's sleep or one's appetite. Only patience, forbearance and a conciliatory spirit, and it would soon be discovered which side was in the wrong, and then it would return to the right path. The skies had cleared considerably since the 6th of November, and in sixty days more the barometer would indicate fair weather.[1]

cisive and serious attacks on the persons and property of conspicuous anti-slavery men. The end of all this is to be a grand compromise of northern slump, wherein justice and liberty are to be bartered for ease in the money market, a revival of southern trade, and ten per cent. advance on stocks. Such is manifestly the programme, which only the stubbornness of the earnest secessionists — those who really mean secession, and are not merely playing a game of brag — and that of the genuine republicans in congress can defeat." The New York *Tribune*, December 24, 1860. On a movement in New York to induce South Carolina to delay its secession until the democratic party could effect a reorganization, see the *Independent* of December 20, 1860.

[1] "They do not humbug me with their secession. (Laughter.) And I do not think they will humbug you; and I do not believe that, if they do not humbug you and me, they will much longer succeed in humbugging themselves. (Laughter.) . . . If you wish to keep them, you have got only one way to do it. That is, be patient, kind, paternal, forbearing, and wait until they come to reflect for themselves. . . . If we keep entirely cool and entirely calm, and entirely kind, a debate will ensue which will be kindly in itself, and it will prove very soon

The conflict was as old as the constitution, and now that it had led to a breach, the man who had proclaimed and demonstrated its irrepressibility declared: Nothing is more simple and more certain than its settlement; let us only resolve not to quarrel any more, but as brethren and good Christians, examine where the cause of the trouble is and remove it.

In this situation of affairs it was certainly of no small importance and value that Lincoln's common sense was not able to rise to the height of such wisdom. He appreciated to the fullest extent what the party owed Weed and Seward, and he was therefore in no haste to pass judgment on this wheeling-about of theirs. He not only heard them patiently, but examined and weighed all their arguments over and over again with anxious earnestness, and the longer he examined and weighed them, the more completely did he separate in his mind the gold from the arid, poison-saturated sand. Lincoln had no desire to forget that this was a quarrel among brothers, and that brothers owed one another forbearance and a willingness to meet one another half way. He was also mindful that it was easier for the victor than for the vanquished to extend the hand of reconciliation. But above all, he was anxious to keep the question of slavery separate from that of the rebellion, and absolutely sub-

either that we are wrong — and we shall concede to our offended brethren — or else that we are right, and they will acquiesce and come back into fraternal relations with us. . . . I propose . . . to hear complaints; to redress them if they ought to be redressed, and if we have the power to redress them; and I expect them to be withdrawn if they are unreasonable. . . . I believe that secession was stronger on the night of the 6th of November last, when a president and vice-president who were unacceptable to the slave states were elected, than it is now. That is now some fifty days since, and I believe that every day's sun which set since that time has set on mollified passions and prejudices, and that if you will only give it time, sixty days' more suns will give you a much brighter and more cheerful atmosphere." Reb. Rec., I Doc., pp. 4–7.

ordinate the former to the latter. But he could not be talked into the belief that concessions should be made which would deprive the victory of the 6th of November of the character of a victory of principles. He did not, however, see clearly, as may be indubitably shown by various utterances of his at this time, that every concession the precondition of which was not the absolute recognition of his election, had this effect. He was fully conscious that every proposition had to be closely scrutinized to determine whether it did not exceed the bounds set by that fundamental requirement; he felt that these bounds were too near to warrant his expecting much from going up to them, and was irrevocably resolved not to be forced beyond them by Weed and Seward any more than by the secessionists.[1]

[1] In a letter of the 17th of December to Weed. Barnes, II, pp. 310, 311. To Kellogg, who represented Illinois in the committee of Thirty-three, he had already written, on the 11th of December: "Entertain no proposition for a compromise in regard to the extension of slavery. The instant you do they have us under again: all our labor is lost, and sooner or later must be done over. Douglas is sure to be again trying to bring in his 'Popular Sovereignty.' Have none of it. The tug has to come, and better now than later. You know I think the fugitive-slave clause of the constitution ought to be enforced — to put it in its mildest form, ought not to be resisted." Nicolay and Hay, The Century, November, 1887, p. 78. In a letter of December 21, to E. B. Washburne, we read: "Please present my respects to the general (Scott), and tell him confidentially I shall be obliged to him to be as well prepared as he can to either hold or retake the forts as the case may require, at and after the inauguration." Ib., p. 75. We may also quote here a letter of a later period. On the first of February, 1861, he writes to Seward: "I say now, however, as I have all the while said, that on the territorial question — that is, the question of extending slavery under the national auspices — I am inflexible; . . . any trickery by which the nation is to acquire territory, and then allow some local authority to spread slavery, is as obnoxious as any other. I take it that to effect some such result as this, and put us again on the high road to a slave empire, is the object of all these compromises. I am against it. As to fugitive slaves, District of Columbia, slave-trade among the slave states, and whatever springs of necessity from the fact that the institution is amongst us, I

In the meantime the senate had followed the house on the wrong road. On the 6th of December, Powell, of Kentucky, had made a motion to refer the part of the president's message relating to the present crisis to a committee of thirteen. On the 18th, Crittenden introduced his famous compromise proposition.[1] It asked, in the first place, for six new constitutional articles, and mentioned in a number of resolutions all sorts of legislative acts which were considered necessary. The material points in the constitutional amendments were these: (1) the restoration of the Missouri line, with the express provision that south of it slavery should be recognized as existing, and that the duty of protecting it should be imposed on the territorial authorities; (2) that, in the slave states, congress should not abolish slavery in the places within its exclusive jurisdiction; (3) the establishment of conditions — practically not possible to fulfill — to be attached to the right of congress to abolish slavery in the District of Columbia; (4) that the federal government should have no right to legislate on the transportation of slaves from state to state or in the slave territories; (5) the determination of cases in which the federal government should be bound to indemnify the owners of fugitive slaves; (6) the prohibition to alter the foregoing articles and certain provisions of the constitution now in force, by future amendments — a Chinese shoe which deprived the United States forever of the possibility of a development in keeping with the ever-changing actual circumstances of the country, with respect to the question which, from decade to decade, had become in a higher and higher degree the turning point of the national life, and which was now rending the Union in pieces. The proposition was referred to the

care but little, so that what is done be comely and not altogether outrageous. Nor do I care about New Mexico, if further extension were hedged against." Ib., p. 79.

[1] Congr. Globe, 2d Sess., 36th Congr., p. 114.

committee of thirteen, the composition of which the vice-president announced on the 20th of December.[1]

It is too late to resolve to inquire about the conditions of a life insurance policy at the moment that the person to be insured has departed this world. This the senate had done. On the day on which the Albany *Evening Journal* had published Weed's manifesto, the convention of South Carolina had met, and on the day on which the committee of thirteen had been appointed, it unanimously passed the ordinance of secession.

The senate had followed the house on the wrong road, but its Union-saving committee immediately manifested a sounder judgment than that of the house. On the 21st the representatives of South Carolina notified the speaker in the house of their withdrawal, and, on the same day, the committee of thirteen, in their first session, resolved, contrary to the inviolable rule which required all committee reports to be drawn up by a majority, that, in the present case, that only should be considered the report of the committee which was approved by the majority of both groups, *i. e.*, of the republicans and non-republicans. If any proposals were to be made which not only furnished new matter for discussion, but afforded a possibility for any practical consequences, this condition, at least, had to be fulfilled. But that it could not be fulfilled was scarcely less certain than that all the compromise-sirens of the Union would not be able to sing South Carolina back into it. And just as certain as this was it, that, if South Carolina persisted in its resolution, a violent collision with it could not in the long run be avoided. Proof of this was produced immediately, although some time elapsed before the collision followed.

Three days before the adoption of the declaration of se-

[1] See the names. Ib., p. 158.

cession, Governor Pickens had sent a "strictly confidential" letter, by D. H. Hamilton, to the president, in which he requested him to allow possession to be taken of Sumter in order to calm public opinion and prevent a collision. The messenger was to insist on an answer within twenty-four hours. Hamilton performed his task on the day of the declaration of secession. The answer was promised for the next evening, but was not sent for the reason that Trescott, the assistant secretary of state, and two representatives of South Carolina had induced Pickens, by telegraph, to withdraw his letter, because the request was not in consonance with the understanding reached between the president and the representatives,[1] and the resolutions of the convention could not be anticipated by the governor.

On the 22d Trescott was directed, by a telegram from Pickens, to inform the president that R. W. Barnwell, J. H. Adams and J. L. Orr were coming to Washington to hand him the ordinance of secession, to negotiate with him on all questions growing out of secession, and especially on the evacuation of the forts. South Carolina must make these demands, and, if they were denied, finally seek to execute them by force, not only, and in the first place, because by means of the forts the Union held its hand directly on the economic artery of South Carolina's economic life, but, in and of itself, because it pretended to be an absolutely independent state in the eyes of international law, and an independent state that actually and permanently recognized the claim of a foreign power to be the exclusive proprietor of fortifications situated within its domain, was a contradiction in itself.

[1] As to how Pickens on the 10th, that is before his request had even come to the knowledge of the president, and before the declaration of secession, "at once proceeded to take into his own hands the enforcement of the existing status in the harbor," see Crawford, The Genesis of the Civil War, p. 83.

But Buchanan could not grant the request, and it was, therefore, certain from that hour, that what he had repeatedly warned the secessionists of would be sooner or later fulfilled, viz., that, even if he conscientiously followed his programme to do nothing but ward off direct attacks on federal property, "peaceable secession" would prove a delusion.

The commissioners arrived in Washington on the 26th of December, and requested an audience with the president, in order to hand him their credentials and exchange views with him, at first, in an informal manner.[1] Buchanan expressed his readiness to receive them the next day, at one o'clock. The audience, however, did not take place, because, before the appointed hour, news was received that Major Anderson had recently left Fort Moultrie, during the night, after he had spiked its guns and burned its gun-carriages, and with his entire little command passed over safely to Fort Sumter.[2] Trescott relates that when he communicated this news to Floyd, the latter declared it could not be true, since Anderson would have acted not only without instructions, but contrary to his instructions.[3] Curtis, on the other hand, asserts that

[1] Ib., p. 142.

[2] On the military and political importance of the question of the forts Pollard pertinently remarks:

"They (the southern leaders) saw readily enough that if the general government secured possession of these forts, it could establish communications with the south, which the latter could scarcely cut off without the aid of a great fleet (!); and that if it was once determined at Washington to reinforce these positions against a chance to take them by surprise, or *coup de main*, the south would have lost an opportunity which it would be impossible to regain, and incurred a disadvantage which it would be most difficult to repair.

"The question of the forts was one of concealed importance in the minds of the southern leaders. As long as attention might be diverted from them, the south could still hold within reach the opportunity of possessing them and securing a powerful advantage, and might thus afford to suspend the question of war, and to linger some time at least in the discussion of peace measures." Life of Jeff. Davis, p. 60.

[3] "I said, 'Governor, Colonel Wigfall has just brought us this news,

Buchanan received the news "with surprise and regret," but "he never for a moment, either then or afterwards, doubted" that Anderson had been authorized by his instructions to take the step.[1] When one examines the instructions — those already referred to of the 11th of December — somewhat more closely, this claim cannot but cause great surprise, although Floyd's assertion — there is no reason whatever to doubt Trescott's statement — is branded by it as a known untruth. The major was forbidden, "without evident and imminent necessity, to take up any position which could be construed into the assumption of a hostile attitude;" but he was expressly authorized to place his troops in the fort which, in his judgment, it was best to defend — (1) if one of the forts were attacked; (2) in case an attempt were made to take possession of one of the forts; (3) whenever he had "tangible evidence of a design to proceed to a hostile act." The question whether he had exceeded his instructions could, therefore, not be answered so long as only the fact of his removal to Fort Sumter was known. While Floyd was aware that his removal *might* be in execution of the order he had given, Buchanan did not know *whether* it was in execution of that order or not. It should have remained an entirely open question, both for the secretary of state and for the president, until they were accurately informed as to all the antecedent and accompanying circumstances. Buchanan did not fully meet this requirement, and in so far as he did not, he failed not in a direction opposite to Floyd's, but in the same direction as

. . . and as you were coming up stairs I said I would pledge my life it was without orders.' 'You can do more,' he said, smiling, 'you can pledge your life, Mr. Trescott, that it is not so. It is impossible. It would be not only without orders, but in the face of orders. To be very frank, Anderson was instructed, in case he had to abandon his position, to dismantle Fort Sumter, not Fort Moultrie." Crawford, Genesis of the Civil War, p. 143.

[1] Curtis, II, p. 371.

Floyd. The letter of the 31st of December to the South Carolina commissioners refutes Curtis's assertion so clearly and positively that no explanation of it can be found. In order to prove that he "certainly never authorized any change to be made in their (of the forts) relative military status," the president refers to the instructions, gives the full text of them, and then says: "Under these circumstances it is clear that Major Anderson acted upon his own responsibility, and without authority, unless, indeed, he had tangible evidence of a design to proceed to a hostile act on the part of South Carolina, which has not yet been alleged. (!) Still he is a brave and honorable officer, and justice requires that he should not be condemned without a fair hearing. . . . My first promptings were to command him to return to his former position, and there to await the contingencies presented in his instructions." Before a step could be taken in this direction, however, the carrying out of his intention was rendered impossible by the fact that the Carolinians had taken possession of Castle Pinckney and Fort Moultrie. "It is under these circumstances," continues the president, "that I am urged immediately to withdraw the troops from the harbor of Charleston, and I am informed that, without this, negotiation is impossible. This I cannot do — this I will not do."

The commissioners did not admit the two last claims. In a letter to Buchanan dated January 1, 1861, they stated that his conference with them (December 28) had left on them the "distinct impression that he (you) did seriously contemplate the withdrawal of the troops from the Charleston harbor." Besides, before the occupation of the two forts by the Carolinians, he had been urged by prominent democrats to come to a decision immediately, that is, to give an assurance "that if the commander had acted without and against his (your) orders, and in violation of his (your) pledges," he would restore the *status ante*. "You refused

to decide. . . . More than twelve hours passed, and two cabinet meetings had adjourned before you knew what the South Carolina authorities had done."

Ever the same misfortune: an insurmountable dread of assuming the responsibility of a decision — to form resolutions, and form them quickly, which were really a decision. As early as on the morning of the 27th,[1] Floyd had read a written declaration, at the meeting of the cabinet, which characterized Anderson's action as a gross violation of the promises made by the president on the 9th, and asked for authority to issue an order directing him to make amends by immediately evacuating the fort. But no decision had been reached when the conference with the commissioners finally took place on the afternoon of the 28th. Its only direct result was Buchanan's declaration that he received them not in the character they claimed of diplomatic agents, but only as private persons, and that he was "entirely willing" to transmit to congress any proposition they wished to submit to him.

A half-way course in all things: he guarded against receiving them as ambassadors, but received them because they claimed to be ambassadors, and offered to serve them with congress as *introducteur des ambassadeurs*. If the situation quickly cleared it was due entirely to the ambassadors.

On the evening of the same day [2] they sent the president a letter announcing that they must suspend the intended negotiations respecting a peaceable settlement of the questions growing out of the new relation of South Carolina to the Union, until the events in the harbor of Charleston were explained in a manner which removed all doubt as to the spirit in which those negotiations should be conducted.

[1] According to Curtis, Floyd's letter of resignation begins: "On the evening of the 27th inst." In Reb. Rec., I Doc., p. 10, it reads: "On the morning of the 27th inst."

[2] Dated wrongly the 29th in Reb. Rec., I Doc., p. 11.

South Carolina might have taken possession of the forts at any time during the last two months, but had resolved to rely rather on his (Buchanan's) promises than on its own power. They must urge him to order the immediate withdrawal of troops from the harbor — *i. e.*, not the mere restoration of the *status ante*. "Under present circumstances, they are a standing menace which renders negotiations impossible, and, as our recent experience shows, threatens speedily to bring to a bloody issue questions which ought to be settled with temperance and judgment."

We already know the material points in the answer of the president, which it took him three days[1] to prepare. The commissioners sent him next day a long reply, which not only sought to prove in an insulting manner that his refusal to grant their request was in glaring contradiction with his course hitherto,[2] but also charged him as directly with an intentional and dishonest breach of his word as

[1] I have already remarked that it is dated the 30th in the Reb. Rec. This date is given in the second letter of the commissioners also. But in the message of the 8th of January (Congr. Globe, 2d Sess., 36th Congr., p. 295), it is given as the 31st. So likewise in Buchanan's Administration, p. 182. There is great confusion in the dates. In the place last cited, Buchanan gives the 29th as the date of the first letter of the commissioners, and in the message the 28th. The commissioners themselves, in the letter, say the 28th. Buchanan says that the second letter was of the 2d of January (Administration, p. 183). In Reb. Rec., I Doc., p. 14, it is dated the 1st.

[2] From the long series of facts which they cite in favor of this, the following may be cited: "You removed a distinguished and veteran officer from the command of Fort Moultrie, because he attempted to increase his supply of ammunition. You refused to send additional troops to the same garrison when applied for by the officer appointed to succeed him. You accepted the resignation of the oldest and most eminent member of your cabinet, rather than allow the garrison to be strengthened. You compelled an officer stationed at Fort Sumter to return immediately to the arsenal forty muskets which he had taken to arm his men." Reb. Rec., I Doc., p. 15.

could have been done without the employment of these expressions. Concerning Anderson's step it said: "This was war," and Charleston was called "the seat of war." It further alleged: "By your course you have probably rendered civil war inevitable." This was in evident contradiction with the claim that they were already at war, and it is wholly unintelligible how the gentlemen, to whom the Union was as much a foreign power as Russia or Turkey, could look upon a war between it and South Carolina as a civil war. The letter closed with the declaration that they intended to begin their journey home on the next day, because his answer left no prospect of the success of their mission of peace. Their reply was immediately returned to them with the laconic note: "This paper just presented to the president is of such a character that he declines to receive it."

The three days which Buchanan had allowed to elapse between receiving and answering the first letter witnessed another change in the cabinet. Floyd had sent in his resignation on the 29th, alleging as the reason for it that his honor forbade his remaining in office after the president had refused to redeem the promise he had made to South Carolina. He expressed his willingness, however, to continue to discharge the duties of the position *ad interim*. Curtis[1] tells us that "without taking any notice of this offer, and with the contemptuous silence that should alone have followed such conduct," his resignation was immediately accepted. Such is not at all the fact. The failure of the president to notice the insulting reproach addressed him by Floyd must not be interpreted as the silence of contempt, for, although he had resolved to demand the resignation of the secretary on account of a dishonest use of government money, he addressed him in the letter in

[1] II, p. 410.

which he accepted it as "My dear sir," and characterized the offer of his services to continue to carry on the business of the office as "so kindly" made.[1]

Floyd's leaving the cabinet — the conduct of the business was at first intrusted to Postmaster-General Holt — was certainly a gain. But Buchanan had run the risk of losing three others of his cabinet, and thus of seeing it go entirely to pieces. The crisis was conjured up by the draft of the answer which he wished to communicate to the commissioners. Black informed him through Toucey, secretary of the navy, that the sending of that document would compel him to resign, and that Stanton and Holt would doubtless resign with him. The president immediately cited the secretary of state to meet him. The interview lasted long, but seemed destined to lead to no understanding. Buchanan thought he could not yield, because he considered himself bound by the conference of the 9th with the representatives of South Carolina. Crawford relates that he said: "You do not seem to appreciate, Judge Black, that my personal honor as a gentleman is involved;" but that the latter replied: "Such an understanding is impossible; you could not make it or any agreement with any one that would tie your hands in the execution of the laws, and if you did make it you must retire from it." The president finally agreed to leave the paper with the secretary of state for revision. The latter repaired at once to the office of the attorney-general, did not change the document at first, but reduced his criticisms to writing. The "memorandum" stated, and assigned the reasons for, seven objections, and then said: "I am aware that they (the changes suggested) are too radical to permit much hope of their adoption. If they are adopted the whole paper will need to be recast."

[1] The epistolary addresses "Dear Sir" and "My Dear Sir" are not at all equivalents.

A comparison of the letter of the 31st of December with the memorandum, which has been preserved to us by a copy of it immediately made by Stanton,[1] shows that Buchanan did not submit completely, but only yielded as much as he was forced to, in order to induce Black and the two members of the cabinet who shared his views to retain their portfolios. To Curtis's remark, therefore, that Buchanan should not be judged by what he intended to do, but what he really did,[2] the reply still is that his original intention must be considered eminently indicative of his political character. The whole history of this crisis renders it highly probable that he was not at all convinced, but yielded reluctantly to compulsion too powerful for him to resist, simply because he did not care to let these three members of his cabinet follow Cass's example.

At the end of his memorandum, Black had again urgently entreated the president to send reinforcements immediately.[3] The secretaries of the war and of the navy now really issued the requisite orders, but it was resolved directly after to suspend their execution for the moment. The answer of the commissioners to the letter of the 31st was presented during a session of the cabinet, and the president exclaimed: "It is now all over, and reinforcements must be sent."[4]

[1] Crawford, Genesis of the Civil War, pp. 153, 155.

[2] II, p. 382.

[3] "I entreat the president to order the Brooklyn and the Macedonian to Charleston without the least delay, and in the meantime send a trusty messenger to Major Anderson to let him know that his government will not desert him. The reinforcements of troops from New York or Old Point Comfort should follow immediately. If this be done at once, all may yet be, not well, but comparatively safe. If not, I can see nothing before us but disaster and ruin to the country."

[4] Quoted by himself in his letter of the 9th of January, 1861, to Secretary Thompson. Curtis, II, p. 402.

The offensive letter of the commissioners, their departure from Washington, and this exclamation of the president rang the new year in, after the old had been rung out by the report of the senate committee of thirteen, that it had not been able to agree on any proposition. Thereupon Crittenden, on the 3d of January, moved a resolution declaring that whereas the Union was in danger, and that the majorities in the two houses of congress necessary for the passage of a proposal for amendments to the constitution could not be obtained, care should be taken by law to submit his compromise proposition directly to the people as the basis of the final settlement of the question in controversy.[1] All the advocates of a compromise had come to set their hopes more and more on Crittenden. The mantle of Henry Clay had fallen on his shoulders. What Clay had twice succeeded in doing he must now accomplish. In this faith the faint-hearted had found their chief consolation, and now the aged patriot, by his motion, formally announced to the whole country that he had lost faith in the possibility of its salvation in the way pointed out by the constitution; the people themselves, the sole source of power, must be called upon to take it into their own hands, in an extra-constitutional manner. And indeed, if it had not been possible to accomplish anything while the representatives of the south and the president had worked together, what could be hoped for now, when, as he testified himself, they were "bitterly hostile" to him.[2] Whether he now sent reinforcements to Anderson, or again desisted from his intention, nothing could any longer shake the truth of his words: "It is now all over!" while everything must make it more and more irreversible and more glaring.

[1] Congr. Globe, 2d Sess., 36th Congr., p. 237.
[2] Letter of May 6, 1861, to Stanton. Curtis, II, p. 546.

On the 5th of January,[1] the senators of Georgia, Florida, Mississippi, Louisiana, Texas and Arkansas held a caucus in which the following resolutions were adopted: (1) That each state should secede as soon as possible; (2) that steps should be taken to call a convention to organize a confederacy of the seceded states, such convention to meet not later than the 15th of February in Montgomery, Alabama; (3) that instructions should be asked as to whether their representatives should remain in congress until the 4th of March in order to defeat legislation hostile to the seceded states; (4) the appointment of a committee consisting of Davis, Slidell and Mallory, in order to carry out the intentions of the meeting.[2]

Pollard claims that the fourteen senators of the states named were an actual junta who had successfully and completely wrested to themselves the entire political and military direction of the revolution, and deprived the people of all possibility of giving effect to their calm and well-considered judgment,[3] in any way. Jefferson Davis, on the

[1] Jefferson Davis, Rise and Fall, I, p. 204, gives this date. Pollard, Life of Jeff. Davis, p. 61, gives the same date, while Reb. Rec., I, Diary, p. 11, gives the 6th.

[2] Senator Yulee, of Florida, writes on the 7th of January to Jos. Finegan: "This time (until the 15th of February for the convention in Montgomery) is allowed to allow Louisiana and Texas to participate. It seemed to be the opinion that if we left here, force, loan and volunteer bills might be passed, which would put Mr. Lincoln in immediate condition for hositilities; whereas remaining in our places until the 4th of March it is thought we can keep the hands of Mr. Buchanan tied and disable the republicans from effecting any legislation which will strengthen the hands of the incoming administration." Nicolay and Hay, Lincoln, Century, October, 1887, p. 846.

[3] "This council assumed to themselves the political power of the south, and to control all political and military operations. They seized the telegraph, they controlled the press, they possessed themselves of all the avenues of information to the south, they dictated the plan of seizing the forts, arsenals and custom-houses, and they did the whole

other hand, sneers at it as an absurdity to attribute any great importance to this event; according to his representation, one would think that it scarcely deserved to be mentioned. This view is, undoubtedly, much farther from the truth than Pollard's assertion, although the latter is, in my opinion, not free from exaggeration. In support of his statement Pollard rightly remarks that the actual course of events corresponded in every particular with the programme of the 5th of January.

It was immediately rumored around that the caucus had been held, and the most material points in the resolutions adopted became known also. But neither this fact, nor the events in the harbor of Charleston and their consequences in Washington, was able to deter congress from continuing to waste its time and strength on the Sisyphus stone of a compromise.

On the 2d of January, Buchanan plucked up courage enough to nominate a new collector of customs (McIntire) for Charleston. The nomination, to be perfected, required the confirmation of the senate. The senate, however, came to no determination on the matter. Buchanan afterwards wrote[1] that, if the confirmation had followed, the war would

work of revolution at Washington, while public attention was drawn to the mere incidental movements that seconded the designs of these few men and concealed the true seat of operations. . . . From the beginning it was evident that the people were to have no calm and deliberate voice in the matter. . . . That the council was not merely 'advisory,' that it represented the vigor and determination of a revolutionary purpose, is proved from the fact that its programme was carried out with an exactness, a minute correspondence to every proposition, that could only have proceeded from the force of command. Everything was done that the council ordered. They did control 'all political and military operations;' they did have forts and arsenals seized, as, one by one, the dispatches from Washington indicated them; they did effect a convention at Montgomery arbitrarily appointed." Life of Jeff. Davis, pp. 62, 63.

[1] September 18, 1861, Lippincott's Magazine, April, 1872.

probably have begun in January. But the senate like the president did not want to assume the responsibility of creating an occasion for a collision.

In those days it might have seemed that something better should have been expected of the house. On the 3d of January, Bingham of the judiciary committee introduced a bill relating to the collection of customs duties, which was, in its essential features, the so-called force bill of the 2d of March, 1833, and the days of the nullification crisis. On the 7th of January the republican caucus rejected the compromise proposition of the border state committee, introduced by Etheridge, and on the same day a resolution moved by Adrain approving Anderson's removal to Fort Sumter was adopted by a vote of one hundred and twenty-four to fifty-six.[1] But although these were noteworthy signs of the house's frame of mind, it should not be inferred from them that that body was now ready to take the initiative and give out the watchword: Forward! They could at most awaken the hope that it would not again tolerate a backward movement, and even this hope, as soon became evident, had a very weak foundation. Just as the senate had carefully kept its fingers from the nomination of the collector, the house did not touch Bingham's bill until immediately before the close of the session. At this critical time it was seen clearer than ever before how incapable

[1] With respect to Seward's position on this question, an anonymous writer relates that Orr, one of the commissioners of South Carolina, had come to him "to urge my co-operation with Mr. Seward to strengthen the hands of the president in ordering Major Anderson back at once to Fort Moultrie. . . . He had seen Mr. Seward during the day, who had fully agreed with him that Anderson's movement was a most unfortunate one, and had suggested that the matter might be arranged if South Carolina would evacuate Fort Moultrie and allow Anderson to re-occupy that post, both parties agreeing that Fort Sumter should not be occupied at all by either." The Diary of a Public Man, The *North Amer. Rev.*, August, 1879, p. 127.

and how indisposed the house is to lead. If public opinion goes in one direction with a certain intensity, it indeed places itself readily and willingly at the head, quickening the time and increasing the impetus of the movement. But to give a steady direction to a public opinion surging in chaos and confusion, or even to cast itself against the stream and force it into a different channel, is not its concern. Up to the present, however, as we have already seen, public opinion was very far from growing intellectually and morally with the crisis.

If it had been at all possible to inspire the people with a will to take the bull by the horns, at this stage of the secession movement, the president alone could have done it. The nature of the facts postulates that he may go as far beyond the limits assigned him by the constitution as congress, in this respect, fails to come up to those the constitution has laid down for it; and this the more, the more critical the situation is. If, however, from the nature of his mind or his character, he is not able to do so, the ship of state cannot but become the play of the winds and waves. But Buchanan now proved anew how eminently unfit both in mind and character he was for such a task; and this explains how it came to pass that the years of the republic's highest moral energy were preceded by those months of deepest darkness, during which it seemed as if the people, in all that pertained to their political thought and will, as manifested in what the powers of government did as well as in what they left undone, had fallen into a condition of the most wretched impotence.

CHAPTER XI.

THE LAST ATTEMPTS AT COMPROMISE.

On the 9th of January the president sent to congress a message dated the 8th which closed with the words: "This may be the last time I shall refer to the subject officially. I feel that my duty has been faithfully, though it may be imperfectly, performed, and whatever the result may be, I shall carry to my grave the consciousness that I at least meant well for my country." Buchanan's right to this consciousness can certainly not be disputed. But what did that avail the people? Did they lie any more comfortably on their bed of thorns because he was able to make a soft pillow for himself out of the purity of his motives? Yet thus far, the results of his policy had, according to the account given of them in the message, been nothing but sharp and poisonous thorns; and whether he now intended spreading over them other and thicker covers to protect the people from their sting was a question which, judging from the message, could be answered neither affirmatively nor negatively, and which could be answered affirmatively just as well as negatively. Indeed, the message was such a heterogeneous mixture of irreconcilable assertions and explanations that one might have taken it for a caricaturing satire of his statesmanlike over-wisdom had his own name not been subscribed to it.

The president began by saying that he did not intend to express himself either on the dangers to the country "needlessly" conjured up, nor on the remedies for them, because the views he had developed in his annual message had not changed. But as, in the meantime, he continued, "every hour of delay" had diminished the hope of a peaceable set-

tlement, and the fact could no longer be concealed that the country was "in the midst of a great revolution," the people might certainly demand the reasons why, notwithstanding, he now stood, in every particular, precisely where he had stood five weeks before. This demand would be improper only in case it was impossible that James Buchanan might have made mistakes. The presumptuous self-certainty which this introductory declaration betrayed was, however, placed in the proper light only by the further allegation that on congress, "and on them alone, rests the responsibility" "to secure peace and union to this distracted country." His dread of assuming any responsibility was as great as his delusion with regard to his own infallibility. This vainglorious self-overestimation of the man so completely counter-balanced his moral weakness, that, by the boldest exaggeration, he transformed a fundamental principle of the constitution into a lever by means of which the executive might be precipitated from his constitutional position of a power co-ordinate with the legislature. The very right and duty to recommend the measures that seemed necessary to him made the president share the responsibility of the congress. How well aware he was of this was evident from the fact that he referred expressly to the "recommendations" in his annual message, although the criticisms on it were justly condensed into the few words: It made no palpable propositions, but set up the programme of a self-contradictory no-programme. But it was above all things an undemonstrated and most positively disputed contention that new laws and changes of the constitution were the right and only remedies. The country was "in the midst of a great revolution," evidently because the supremacy of the existing laws had not been maintained. But, in this regard, the president not only shared the responsibility with congress but primarily bore it. Buchanan again expressly

said that it was his absolute duty "to collect the public revenues and to protect the public property so far as this might be practical under existing laws."

But whether, and how far, the powers and means granted by the existing laws were sufficient, was a question that remained unanswered. The message, indeed, conveyed the assurance that the president still had the intention to perform that duty, but it did not contain a word as to what he had hitherto done towards fulfilling it, for — on that subject he had nothing whatever to say. Contrariwise, it told how, in several states, federal property of every kind — forts, arsenals, magazines — had been wrested by force from the organs of the federal government, and declared that he had from the first made the resolution, and inviolably kept it, to do nothing that might "increase the excitement." He, on the one hand, convicted himself of consciously having made no use of his legal powers — that is, of not having performed his duty — because, according to his political opinions, not good but only evil was to be expected from its performance, and, on the other, he showed that every day had brought additional and greater evil. That, notwithstanding this, not the slightest doubt arose in his mind as to the correctness of his conduct was all the more surprising, since he further pointedly called attention to the fact that the unlawful acts referred to against federal property were "purely aggressive and not in resistance to any attempt to coerce a state or states to remain in the Union." From all these facts he drew the conclusion that there should not be a moment's delay in granting the revolutionists the price at which the restoration of peace and the unity of the country might be purchased from them. "The present is no time for palliations. Action, prompt action, is required." Coming from the mouth of a Jackson, perhaps hundreds of thousands, or even millions, would have hailed these sentences

with shouts of jubilation as the redeeming words which would lift the ban that, like an Alp, weighed down their heads and hearts. Coming from Buchanan's mouth they meant: "Let the question be transferred from political assemblies to the ballot-box, and the people themselves would speedily redress the serious grievances which the south have suffered." The president, indeed, stated in another place that "the right and duty to use military force defensively" against attacks on federal property and resistance to federal officers was "clear and undeniable." But not even between the lines can an intimation be read that he considered the summoning of the force requisite for that purpose to be necessary or even desirable. Moreover, the sentence last quoted preceded the veiled denunciation of congress for its delay in hauling down the flag before the revolutionists. That sentence, therefore, could not but seem to be the recognition of an undeniable but disagreeable constitutional duty, and the whole stress was, in his opinion, to be laid only on the demand for satisfactory concessions to the slavocracy. He at the same time assumed — again without taking the trouble of assigning any reason for it — that the latter would accept a new division of the territorial domain of the Union as the basis of an agreement.

While the senate and house of representatives were listening to these arguments of the president in Washington, the state convention of Mississippi in Jackson was furnishing them with an eloquent commentary by adopting the ordinance of secession. South Carolina had passed a vastly more destructive criticism on them several hours earlier, at the dawn of day. In a very essential respect Buchanan had not done justice to himself in his message. He was now, in consequence of the events of the 26th of December to the 1st of January, much more seriously bent on the employment of force in the defensive than would appear

from its wording. While he was reducing his message to writing, a steamer with reinforcements for Major Anderson was cleaving the waves of the ocean. Instead of confiding this mission, as was originally intended, to the man-of-war "Brooklyn," the passenger steamer "Star of the West" was chartered for it. The result was a complete and shameful fiasco. In order not to run aground, the ship was obliged to wait till daybreak to enter the bay. When, after a warning shot, it hoisted the United States flag, the strand batteries and Fort Moultrie immediately began a sharp fire, and, as the guns of Fort Sumter remained silent, it was obliged to veer about, after it had been struck twice, and return to the open sea, without having effected its purpose. As Thompson, secretary of the interior, intended to send his resignation to the president, he had not hesitated to telegraph to Charleston what was to be expected. Anderson, on the other hand, was wholly unprepared, as he could not have been officially informed, and considered a notice of the intended expedition which he had accidentally read in a newspaper not worthy of belief. But that was not the reason why he looked inactively upon the violence and the insult offered to the flag of the republic. The command which would have made the lunt of his cannoneers drop on the touch-holes of his guns hovered for a while upon his lips. As his officers were divided in opinion, and as one of them supposed he might assume with certainty that the governor would disapprove the action of his subordinates, he thought that, in view of the inevitable and frightful consequences, he should not assume the responsibility. Pickens, however, declared that everything that had happened was "perfectly justified," although Anderson had characterized it as "an act of war," and had given notice that, if the governor did not disavow it, he would allow no ship to pass within reach of his guns. But

the major now withdrew his threat, and requested that no obstacles should be placed in the way of the messenger whom he had resolved to send to Washington to report and obtain instructions.

If Anderson is not to be judged unjustly it must be taken into account that he was a southerner, and that all his sympathies as a man were with the south. The rich recognition that has been meted out to him because, notwithstanding this, he could not, as for himself, for a moment see the possibility of a conflict of duties, has therefore been fully deserved. But it is another question whether on the critical morning of the 9th of January he would not have understood his duty somewhat differently and more correctly if his heart had spoken to him in a different tone. By his secret removal from Moultrie to Sumter, he had shown himself a man of cool and clear judgment, and also that he was not wanting in moral courage to take the initiative, even when it must be followed by grave consequences. But now his judgment and his will lay under the pressure of the fact that he not only wished as an American citizen to avoid civil war, but that he also wanted as a southerner not to make civil war an accomplished fact, by simply following the dictates of duty as to the consequences to be drawn from an act done by southerners — without delay and without regard to what might happen afterwards. Since the 20th of December South Carolina had been in his eyes, and so far as it depended upon him, an independent state recognized by international law. But Anderson was commander-in-chief of the military force of the Union in the harbor of Charleston. If the firing on the "Star of the West" was an "act of war," that is, if South Carolina had actually begun war against the Union, it was undoubted that he must protect its violated flag. As an official personage, he was a soldier and nothing but a

soldier. Politics lay entirely outside his jurisdiction, and even if it might be *right*, still he had no *right* on account of probable or even certain political consequences to leave undone what, as a soldier, it was his duty to do. Only military reasons could have given him the right to leave the fire from Fort Moultrie and the strand batteries unanswered, but he never advanced such reasons for his sin of omission. Weighty reasons, however, may be put forward to show that, from a political and patriotic point of view likewise, it was a highly lamentable sin of omission, although, perhaps, in the United States itself, there are even fewer now who entertain this opinion than there were then.

If it had been at all possible, after the Charleston convention, to avoid the civil war by energetic action, the time when it could be done was now long past. If the fire on the "Star of the West" had been answered by Anderson with only a single shot, the 9th of January would have taken the place in the history of the republic which the 12th of April was destined to occupy. Not a single attempt more could have been made to prevent it. But to escape civil war was impossible, no matter what was done or not done. The more the secessionists were strengthened in the delusion that secession could be accomplished without civil war, the more enormous became the proportions that war must assume. And conversely, the sooner it was demonstrated by deeds that the federal government was terribly in earnest in its resolve to suppress the rebellion, the shorter in all probability would be its duration, and the less the sacrifice of blood and treasure. We need not examine the question whether the rebellion would have been restricted within narrower territorial limits by this means; but it would certainly have begun the struggle under infinitely less favorable circumstances. It was still, to say the least, exceedingly doubtful whether the military preparations

thus far made in and around Charleston would have sufficed to compel Anderson to capitulate. Holt, the secretary of war, wrote Anderson a week later, that for the present no further attempts to reinforce him would be made, because the reports received in the meantime had dissipated the fears earlier entertained with respect to his safety.[1] And in a letter of the same date of the secretary of state (January 16) to Scott, in which we read, on the one hand, that "the question of Major Anderson's surrender is one of time only," if nothing was done for him, we find on the other that he "has a position so nearly impregnable that an attack on him is wholly improbable."[2]

Even as late as on the 22d of January, Black, in a letter to the president, expressed the firm conviction that the revolution could be held in check if the unfortunate policy were abandoned that proceeded on the assumption that greater hopes might be entertained of happily averting the impending dangers in proportion as less strength was shown.[3] But even if Sumter and the other valuable military property of the federal government, that fell into the hands of the secessionists during the next thirteen weeks,

[1] Crawford, The Genesis of the Civil War, p. 205.

[2] Ib., p. 237.

[3] "Let us not forget the lessons we have learned in the past three months. The gross impostures practiced upon us recently ought to make us very slow about believing assurances or taking advice which comes from the enemies of the Union. *Timeo Danaos.* They told us that civil war would be the result of manning the forts at Charleston. Now they laugh at all who believed that prophecy. They told us about the eight regiments of artillery in South Carolina; the twenty thousand other troops; the battery that could take Castle Pinckney; the impossibility of occupying Fort Sumter; that the 'Brooklyn' was the only ship of war fit to be sent down there, and that she could not cross the bar; that the little battery on Morris Island would prevent a ship from going up the channel; that South Carolina would not make war upon us if we were weak, but would if we should make ourselves strong,— all these things were taken for true, and you know how disastrous the

could no longer have been saved, if the war had been now begun instead of being delayed until the middle of April, the rebellion would none the less have been much weaker, because it had not yet been consolidated and organized. The states faithful to the Union would have had the immense advantage of a complete governmental apparatus operating quickly and surely, at a time when as yet only two states had seceded, and the formation of a confederacy would have been still going on, while the militia of the north might have been marching southward and the organization of a great army rapidly progressing.

And lastly, far-reaching political consequences to the disadvantage of the rebellion were to be expected if the collision came before Lincoln's entrance into office. So at least the secessionists thought; and even if it could not be considered certain that what they feared would turn to the advantage of the Union, it was certainly probable in a very high degree. Governor Brown, of Georgia, wrote to Pickens as late as February 2d, warning him that if Sumter were attacked during Buchanan's presidency, Lincoln would receive the war as "unfinished business actually commenced" from the democratic party, which would stand at the head in the struggle.[1] Of what great value this would have been was shown plainly enough by many

consequences were, not merely to the credit of the administration, but to the Union itself,

'Upon whose property and most dear life a damn'd defeat was made.'

"I solemnly believe that you can hold this revolution in check, and so completely put the calculations of its leaders out of joint that it will subside after a time into peace and harmony. On the other hand, by leaving the government an easy prey, the spoilers will be tempted beyond their power of resistance, and they will get such an advantage as will bring upon the country a whole iliad of woes." Ib., pp. 242, 243.

[1] Ib., p. 266.

a dark chapter in the history of the war. And not only the attitude of the democrats of the northern states towards the war would have been greatly influenced thereby, but no inconsiderable portion of the southern population would have looked upon it in a more or less different light if it had been forced upon Buchanan, who had been elected by the south and whose affection for the south had been so frequently and so thoroughly tested. It cannot be questioned that, while the secession movement was still so far from being ended, this might have exercised a modifying influence upon it.

It was, however, right that Anderson, after he had remained an inactive spectator of the cannonading of the "Star of the West," should not have kept his resolution to use force himself, in case he did not receive the disavowal of the governor which he had asked for. Public opinion in the north would certainly not have unanimously approved his using it, and rightly so, while they undoubtedly should and probably would have stood by him if he had answered shot with shot, so long as the guns of the South Carolinians were fired at the "stars and stripes." To meet force with force was not only his right but his duty. Opinions, however, were very much divided as to whether he had the right to retaliate afterwards, and it certainly was not his duty. From the moment that the batteries of the South Carolinians grew silent, the question what consequences should attach to the attack was a political one, and it was, therefore, not for him to decide it. When, subsequently, he neglected to ask reinforcements from the secretary of war, while they could have reached him, because his policy was to keep the way open for the restoration of the Union without the shedding of blood, he again made a grave mistake, which, in most European countries, would

have brought him before a court-martial.[1] He thus entered the domain from which he now withdrew, because he rightly recognized that, to tread upon it, was an overstepping of his authority. The government, however, must share the blame of this exceeding of his powers, because it had unreservedly approved his conduct on the 9th of January, from which fact he was justified in concluding that his policy and that of the government were entirely coincident.

In a letter of the 16th of January to Anderson, Holt, secretary of war, not only declared that the words "an act of war," used by the former, were wholly warranted, but added: "Had their (the South Carolinians') act been perpetrated by a foreign nation, it would have been your imperative duty to have resented it with the whole force of your batteries."[2] But hobbling after this came the further declaration that the president "fully approved" his not returning the fire, because "it was the work of the govern-

[1] A few days before his capitulation he writes to a lady: "Justice compels me . . . to take upon myself the blame of the government's not having sent to my rescue. Had I demanded reinforcements while Mr. Holt was in the war department I know that he would have dispatched them at all hazards. I did not ask them, because I knew that the moment it should be known here that additional troops were coming, they would assault me and thus inaugurate civil war. My policy, feeling — thanks be to God! — secure for the present in my stronghold, was to keep still, to preserve peace, to give time for the quieting of the excitement, which was at one time very high throughout this region, in the hope of avoiding bloodshed. There is now a prospect that that hope will be realized; that the separation which has been inevitable for months will be consummated without the shedding of one drop of blood. The ladies must then not blame the latter part of Mr. Buchanan's administration, nor the present one, for not having sent me reinforcements. I demanded them under Mr. Floyd. The time when they might have been sent has passed weeks ago." Ib., p. 290.

[2] Ib., p. 205.

ment of South Carolina, which is a member of this confederacy, and was prompted by the passions of a highly inflamed population of citizens of the United States." These words made it seem even the patriotic duty of the president to give no answer whatever, by act, to this slap on the cheek. South Carolina was not *shown* that the federal government would not allow itself to be forbidden and kept from sending troops to the federal forts, but only *told* that the federal government still claimed that right, and would make another attempt to exercise it if Anderson's safety seemed to require it; and it was expressly added that the government now abstained from a repetition of the attempt, because it might incite South Carolina to so bold and rude a repetition of its blow that it would be impossible not to return it. Buchanan did not see or would not see that South Carolina could be rendered neither more pliant nor more timorous, by leaving it the most ample time and the utmost freedom to make itself, in all military respects, completely master of the situation, while the federal government scarcely dared to stroke its wounded cheek. The secessionists, on the other hand, saw very clearly that by this course "the government practically conceded to South Carolina all that she claimed (claims) in the way of sovereignty;"[1] and they, of course, drew their own conclusions therefrom. The federal government and the population of the northern states, who had received the intelligence of the events in the harbor of Charleston with the most astound-

[1] "He (Benjamin) agrees with me that, by permitting the South Carolina forces to drive off by force the 'Star of the West,' the government have practically conceded to South Carolina all that she claims in the way of sovereignty, though he is not surprised, as I own I am, at the indifference, not to say apathy, with which this overt defiance to the federal authority and this positive insult to the federal flag have been received by the people of the north and west." The Diary of a Public Man, The *North Amer. Review*, August, 1879, p. 134.

ing equanimity, must bear the grave responsibility for the fact that people in the south were now fully convinced that they would not risk opposing secession by force.

It is hard to understand how, despite the 9th of January, it has been possible to assert uncontradicted a thousand times that all the secessionists had to do was to let their cannons speak to rouse the north from its irresolute weakness, and make it rise like one man to suppress the rebellion. There was no real difference between the occurrences of the 12th of April and the 9th of January. The only reason why they met with so different a reception was because popular feeling in the north had changed during the three intervening months. In April not a wish was expressed anywhere that Anderson should again remain passive, because it was so clearly understood that no possible concessions could bring the seceded states back into the Union, that the last illusions on the subject were dispelled by the first cannon-shot. Now, on the contrary, the anger of even most republicans was not excited at the outrage on account of the satisfaction they felt that the catastrophe had not yet come, because the pressure exercised by the wishes of the people on their intellectual penetration had not been sufficiently diminished. Hence the certainty that, independently of the events in the harbor of Charleston, the secessionists would be able to record new and great successes during the next few days, was not able to awaken either thought or feeling to a proper appreciation of it. To this certainty rather must it be ascribed in no small measure that Anderson's conduct was not subjected to proper criticism even in quarters in which such criticism might have been most surely expected.

On the 11th of January four stars had already been torn from the flag of the Union. Florida and Alabama had followed South Carolina and Mississippi. The Alabama ordi-

nance of secession, conformably to the resolution of the caucus of southern senators of the 5th of January, contained an invitation to all the slave states to send delegates on the 4th of February to a convention at Montgomery, in order to form a confederacy with a constitution modeled after the constitution of the United States. That the states which had seceded up to that date would accept Alabama's invitation was undoubted; for, although the legal basis of the secession movement was the alleged sovereignty of the individual states, it had drawn its viability from the first from the solidarity of the slave-holding interest; that is, its actual precondition was, as it had ever been, the immediate concentration of the seceded states into a new union. Immediately after South Carolina had driven the flag of the Union from its coast with powder and lead, it had become an undoubted certainty that the manufacturers of compromise projects would have a supply of them to offer not only to the individual states but also to a federal republic. How greatly the prospect that any attention would be paid to their proposals was decreased by this fact, in and of itself, is self-evident. If the individual states had thought themselves strong enough not to fear the venture of rebellion, the idea of force could only incite a confederacy, not intimidate it. So, too, the argument based on the advantages of belonging to a great political structure had lost its main force, because the seceded states would look upon themselves as great and powerful enough not to lose the benefits of them. Lastly, pride preponderated immensely over the emotions which the remembrance of a common world-historic past had hitherto been able to awaken. Must not the south fear to make itself ridiculous in the eyes of the world, if it should give any answer but the silence of contempt to a solicitation to undo what had been done in consideration of the granting of a part of the

demands it had previously made? And had not the several states, by the fact that they had bound themselves to one another, curtailed their freedom of action too much to allow themselves to retrace their steps by an agreement, even if each of them could still be asked separately to enter into one? The leaders of the rebellion were fully conscious that by the formation of a confederacy they would fasten the door of agreement with a bolt which they would not be able to shove back themselves, even if they wished to.

In the meantime the prospect that the parties would succeed in agreeing upon a compromise even in congress had not improved. The negotiations thus far had only carried them a greater distance from the goal. The fact that the committee of thirty-three submitted a report with definite proposals to the house of representatives on the 14th of January could blind no one's eyes to this discouraging outlook. A whole array of minority reports accompanied the majority report, and the latter was not at all what it purported to be. Every separate motion had, indeed, been adopted by a majority of the members who happened to be present when it was made, but the report, as a whole, had not been approved by a majority of the whole committee. Some members of the pretended majority had openly announced in the committee that they would speak and vote against a part of the propositions in the house. Love, of Virginia, and Hamilton, of Texas, were therefore not so wrong when they said, in their minority report, that the house and the country were being trifled with.[1] Moreover, the representatives of three slave states had taken no part in the delib-

1 "Thus that which appears to be the report of a committee is really no report at all, not even of those who seem to make it. With all due deference and respect, we submit that this may be regarded as trifling with the house and the country." Rep. of Comm., 36th Congr., 2d Sess., Vol. I, No. 31.

erations of the committee, and those of seven more had manifested their disapproval of the proposals, while, on the other hand, two republicans — Washburne and Tappan — moved to declare that what must be done was not to change the constitution but insure obedience to it. If, therefore, the committee, as must be assumed, correctly reflected the views of the house, it was highly improbable that the proposals would be adopted by it. If, however, contrary to expectation, the house did adopt them, the result, as Charles Francis Adams showed in his separate report, would be of no value, because it was certain that the offers made would not satisfy the majority of the states which were to be induced to make a compromise. The discussion of theories, said the minority report of the representatives of Louisiana, Missouri, Arkansas, Delaware and North Carolina, was idle. They had to deal with the fact that four states had already seceded, and that all the other slave states would follow them if they were not offered the security which they considered necessary. Adams, on the contrary, said that no good was to be expected from the proposals of the committee, since its deliberations had demonstrated that the majority of the dissatisfied states would hear of no settlement the terms of which were not dictated by them, and refused at the same time to accept as a principle the imperative duty of submitting to the result of a constitutional presidential election, without the recognition of which a constitutional state cannot exist. But if the offers of the committee did not satisfy even the slave states still remaining in the Union, they could, of course, suffice still less to induce the states which had already seceded to re-enter the Union; and if a settlement with the former was not possible without depriving the Union of the character of a constitutional state, one with the latter which would have left it that character was evidently entirely out of the

question. So far as they were concerned, those compromise proposals, no matter what they contained, could have a meaning only provided it could be assumed either that their representatives did not really think as they pretended to think, or that the people could yet be determined to cut loose from their leaders. But there were no facts to support the one assumption or the other. Houston, of Alabama, had, it was said, declared in the committee that the north could no longer prevent secession even by handing the south a blank power of attorney in which it might write what it pleased.[1] That there is room for a difference of opinion as to how large a portion of the population of the states that had seceded in the meantime had adopted this view will be conceded. The divergent, more moderate views, however, might not even yet have been as generally abandoned as they seemed to be. But when one here or there publicly and strongly professed them, the fact was one which was heralded about by the entire press of the country. People no longer dared to express them or else were kept from doing so by the opinions universally entertained of the loyalty due to the individual states. A compromise which would merely prevent further secessions from the Union would accomplish nothing whatever towards solving the fundamental question. The Union was not "preserved," and the sword of civil war continued to hang over it by a mere thread so long as a single state refused to repeal its ordinance of secession. It could neither recognize secession without committing national suicide, nor employ force without causing a larger or smaller number of

[1] "There is no use of our cheating each other; we do not mean to stay with you; we do not mean to stay in this government; we mean to break it up; we can make more money without you than with you, and if you would take that paper (a white sheet) and sign your names to it and let us write our agreement over them, then we would not stay with you." Proceedings at the organization of the Loyal National League at the Cooper Institute, p. 34.

slave states to leap over the compromise just concluded, with uplifted shield and hand on the hilt of the sword, to the side of the seceded state.

In answer to the apparent reasons which might be adduced in support of the claim that, if the committee of thirty-three had been more adroit, they might have obtained other and better results, attention might be called to the fact that, in all material points, the events in the senate accurately reflected the course affairs had taken in the house committee. Powell, of Kentucky, moved on the 16th of January that the Crittenden compromise should be amended so that the cession of the territorial region south of the Missouri line to slavery should be expressly extended to all territory "hereafter to be acquired." Latham, of California, a democrat, of whose honest and unselfish friendliness to a compromise there was not the slightest doubt, vigorously opposed it. "Instead of being a peace offering," he said, "it will be a fire-brand thrown into the solution of this whole subject." Notwithstanding this, the motion was adopted by a vote of twenty-nine against twenty-four. But immediately after, Clark's resolution reciting that the question was not one of changing the constitution, but of enforcing obedience to it, came up for discussion, and it, too, was adopted by a vote of twenty-five to twenty-three. Some of the extreme southerners had abstained from voting, and subsequently justified their course by claiming that it was necessary to discover how the republicans thought; they were the ruling party, and it was to no purpose to work at compromises which they did not approve. A motion and a resolution which agreed like fire and water, adopted within an hour, and only because the southern radicals wanted to show in a glaring light that they were convinced that all the labor at a compromise was a search after the philosopher's stone! The bitter censure they were subjected to on this account would

have been justified only provided that all that was needed was to find a majority in congress for any compromise project whatever, no matter how constituted or how small it might be. Their conduct was calculated to dispel this illusion which was entertained to a greater or less extent by all compromise seekers. They therefore deserved thanks for it, and it is only to be lamented that the lesson taught by them was so little understood. Not their action, but only one of the motives for it, was deserving of censure. They had abstained from voting partly because the failure of the endeavors to reach a compromise would, at least, not have been disagreeable to them. That was blameworthy, but it did not refute the allegation that a compromise which the republicans refused to approve could not fulfill its end. But was the way to win over the republicans to go beyond the demands made by a southern senator, and put forward new claims which even a genuine democrat violently opposed? That was the way to strengthen the knees of those republicans who would still have willingly paid a high price in order to save the country from the consequences of the party victory of November. And every step taken by the south which had this effect now fell in the balance with all the greater weight because, at last, a spirit began to stir among the republicans outside of congress which was calculated to influence their timorous party associates in the capitol at Washington in the same manner. The importance of the adoption of Clark's amendment to the Crittenden promise could be measured rightly only when it was taken in connection with the fact that the legislatures of northern states began by formal resolutions to place money and men at the disposal of the president.

No direct conclusions, however, could be drawn from these significant indications of feeling, as to the clearing of peo-

ple's judgments. Not only the northern democrats but also a very large number of republicans still looked upon it as their highest patriotic duty, despite the incessant advance and increasing height of the flood of secession, to hold fast to the faith that it might yet be swept back with the besom of compromise. Lincoln's future secretary of state thought it incumbent on him again to advocate this view with the whole weight of his authority, not only by word but by deed. The people were still under the influence of the news that Georgia (January 19) had seceded, when the senators of Florida and Alabama, and Jefferson Davis, during the session of January 21, announced in a formal and solemn manner, that, in consequence of the secession of their states, they had ceased to be members of the senate. On the following day, the vice-president inquired what should be done regarding the vacancies in the committees, and referred at the same time to the fact that nothing had been said in the journal of the senate on that occurrence. Seward contended very positively against Benjamin that nothing should be said. If complete silence were preserved about the matter, the senators who had withdrawn, or other senators from the states in question, would, "at their own time and in their good pleasure," again take possession of the vacant seats, which he hoped would soon be the case. Posterity would only honor this incompleteness of the chronicles of the senate.[1] His motion to lay the matter on the table was adopted by a vote of thirty-two against twenty-two, although attention had been called to the fact that it was necessary to take a definite stand on the question which had been raised by the conduct of the senators above named, for the very reason that the number required to reach any conclusion had become uncertain.

[1] Congr. Globe, 2d Sess., 36th Congr., p. 501.

Whether the hope expressed by Seward was intended to be synonymous with a wish or an expectation could not be determined with certainty from the wording of the sentence. Seward's whole bearing at this time leaves scarcely a doubt that it was meant to be the latter, and we may assume that it was so meant with all the more certainty, as, simultaneously with the news of Georgia's secession, a message came from Richmond which was highly calculated to afford new food to patriotic illusions.

On the 19th of January the legislature of Virginia had adopted resolutions the object of which was "to make a final effort to restore the Union and the constitution in the spirit in which they were established by the fathers of the republic." All the states were invited to send commissoners to Washington to advise with one another about a settlement which would give the slave states "adequate guarantees for the security of their rights." When they had agreed on the necessary changes of the constitution, they were to transmit their proposition to congress, with the request that it should take steps to have it adopted in the manner provided for in the constitution. Crittenden's compromise with Rowell's amendment and a few addenda would satisfy Virginia. Ex-President Tyler was to be sent to the president and Judge Robertson to the seceded states, to request that, in view of this peace conference, all measures which might lead to a collision with armed force should be desisted from.[1]

One would have thought that people would have been kept from basing any great expectations on this attempt at a settlement by the fact that it was not able to interrupt the progress of secession. Louisiana seceded on the 26th of January, after a motion to delay its withdrawal from the Union had been defeated in the convention, by a

[1] Ib., p. 601.

large majority, on the day before. That the consideration of this fact had obtruded itself on the mind of the president could not be inferred from a single word of the message with which he transmitted the resolution to congress on the 28th of January. The message, indeed, pointedly called attention to his want of power to make binding pledges of the nature desired by Virginia. So far as this could not be traced to the wish, so frequently and so prominently brought into relief, to shift all responsibility, as far as possible, from his own shoulders, its only object was to make the exhortation addressed to the seceded states and to congress, to accept the invitation extended by Virginia, all the more impressive. If the former, he said, will refrain from all acts of the nature described, "the danger so much to be deprecated will no longer exist," and he begged the latter "to abstain from passing any law" which might have the dreaded effect.[1] He accompanied this request with the declaration that he would never despair of the republic, and was confident that the mediation of Virginia would prove the means chosen by Providence, by conditions just and honorable to all parts of the country, to perpetuate the Union. No reasons were assigned for this consoling faith, unless the reference to the history of Virginia be considered such. It showed that that state carried out whatever it took in hand, "if it could (can) be done by able, enlightened and persevering efforts."

This *if* was the decisive word. It weighed more than all the rest of the message and the resolutions. Until the question it implicitly contained could be positively given the desired answer, the resolutions and the message could

[1] This request shows very clearly in what light we are to view Buchanan's excuse, made to relieve himself of responsibility, that congress "refused with pertinacity" to take the measures necessary to suppress the rebellion. Mr. Buchanan's Administration, p. 153.

have only one certain result: a free field was insured for the progress and consolidation of the secession movement for some weeks more. This could be prevented only in case its leaders were so blinded by their impatience that they would not heed the exhortation of the president. He had "much confidence" of seeing his request granted by congress, and it was certain that he would not be disappointed.

The house immediately manifested its readiness in the most forcible way. In the name of the committee to which the message of the 8th of January had been referred, Reynolds, of New York, introduced a bill on the 30th which empowered the president to call out the militia or engage volunteers in the service, not only to protect the forts, magazines, arsenals, etc., but also to restore to the possession of the Union those that had been, or might yet be, taken from it. Such an authorization, as Buchanan rightly remarked,[1] was equivalent to a command, and hence, if the bill became a law, civil war would have been begun. But the committee not only did nothing to have the bill passed, it not only prevented all action of the house, but it hindered all discussion. Before a word could have been said on the contents of the bill, Reynolds himself moved that it should be referred back to the committee. The motion was carried without the slightest objection, and the bill was thus buried.[2]

Virginia could not have been given the assurance more promptly or more plainly that the way would be left entirely clear for it. But the answer to the question impliedly contained in that *if* of the message had been given even earlier and in just as unambiguous a manner. News had been received the day before, that the invitation to send commissioners to a peace conference had been absolutely

[1] Ib., p. 157.
[2] Congr. Globe, 2d Sess., 36th Congr., p. 646.

declined by South Carolina, with the declaration that it had no negotiations to make about concessions, as it did not want to return to the Union. To what extent it might be inferred from the fact, that all the other seceded states had also refused to send commissioners to the conference, that they thought precisely the same way on this point, need not be examined here. Thaddeus Stevens's allegation, that this answer of South Carolina deprived Virginia's attempt at mediation, like all other attempts at a compromise, of a foundation,[1] was irrefutable.

The allegation was irrefutable, but, naturally, it did not pass uncontradicted on that account. That it came from the mouth of so radical a republican as Stevens was sufficient proof to many people that it could not be tenable. It became much more difficult, even for those who found satisfaction in such arguments, to preserve full faith in their illusions. Virginia's mediation was to smooth the turbulent waves, and yet one of Virginia's representatives, immediately after the reading of the message — that is, before South Carolina's resolution had been known — had in a long speech said: "The dispute has become incapable of accommodation."[2] The exhortation to desist from vainly contending against the inevitable, to listen to the voice of reason, and be confident that it was the will of Providence that freedom and civilization should be promoted by the rupture of the artificial tie, was the sentence in which Pryor's speech culminated.[3]

[1] "Thus ends the negotiation; thus ends concession; thus ends compromise, by the solemn declaration of the seceding party that they will not listen to concession or compromise." Ib., p. 621.

[2] Ib., p. 601.

[3] "Instead, then, of vainly essaying to counteract the designs of nature, let us heed the voice of reason; instead of lamenting the rupture of an artificial tie, as involving the ruin of all our hopes, let us lean on the wisdom of Providence, persuaded that as He has already distin-

Even among the republicans, these words did not fall on deaf ears. In one respect the moderate Charles Francis Adams, in his speech of January 31st, went a step beyond the allegation of Stevens on the previous day. What the latter had said of the seceded states Adams extended to the representatives of the south who were still seated in congress. "You *want* the Union dissolved. You *want* to make it impossible for honorable men to become reconciled." Such was the charge he flung in their faces. He announced, on the other hand, that, under certain circumstances, he would perhaps go so far as to advocate a peaceable separation, "although he (I) could (can) not see the authority under which it could (can) be originated."[1]

This difficulty might, perhaps, become of even decisive importance. If the people had positively demanded such a solution of the problem by an overwhelming majority, it would undoubtedly have been surmounted in some way, no matter what became of the constitution. Although it certainly deserved serious consideration that influential patriots, of vision as clear and judgment as sober as Adams, declared themselves tempted to go over to the side of those who had immediately given out the watchword, "Let the erring sisters depart in peace," it had not become any the more probable on that account that public opinion would finally, with irresistible pressure, force both the president and congress to go that road unimpeded by any constitutional scruples. The fact that people were compelled more and more to face the question, to what extent the desire of reconciliation still existed in the slave states at all, had, on the whole, a totally different effect. It was only a minority

guished the epoch of revolution as the most glorious in the annals of America, He intends still further to advance the cause of freedom and civilization by means of another dissevered nationality." Ib., p. 603.

[1] Ib., App., p. 127.

of the people, although not a wholly inconsiderable one, that had become steadily strengthened in the conviction that the prolongation of the suspense could tend only to disaster. The majority became more mellow, instead of at last confessing that the efforts to effect a compromise were a foolish chase after a phantom. But by what right was a growing readiness to recognize secession inferred from an increasing inclination to meet the south half way? Logic evidently required the drawing of the opposite conclusion; that is, what had previously been said of the "Union-savers" of the old stamp was true, in a still higher degree, of the republicans, who had since grown "weak-kneed." To the extent that the concessions were felt to be sacrifices, the willingness to agree to them was a correct measure by which to estimate the value of the Union. The north would have preferred to pay the price of its preservation in this form. But as it could not do that, because the south refused to accept the payment, it did it in the form in which it was forced to against its will; and, on that very account, the price paid was not merely equally great,— it was tenfold greater. Hence, when one examines the matter more closely, one finds nothing wonderful in the fact that the moral weakness with which people at the north, really or apparently blind and deaf to all facts, continued to roll the Sisyphus stone of compromise projects, was transformed in a night into an energy that was proof against everything, and eager for the fray.

He who had ears to hear correctly must have so interpreted the speech which Seward delivered in the senate while Adams made this declaration in the house. That people judged Seward's speech at the time only in accordance with its probable immediate effect was not only natural, but in a certain sense justified, and it must have created a much more depressing impression than Adams' declaration.

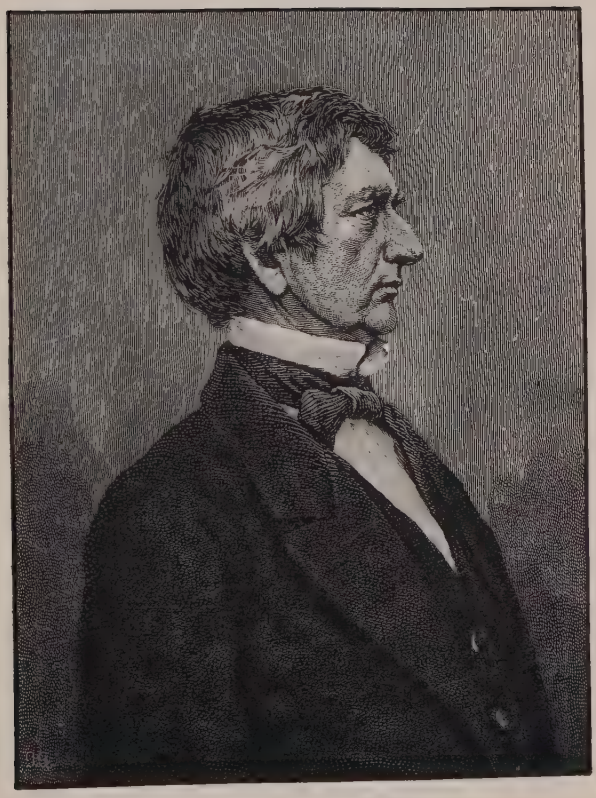
The presentation of a petition of citizens of New York, praying for the acceptance of a compromise on the basis of the project agreed upon by the border states, afforded the formal occasion for Seward's speech. What its character would be could be inferred from the manner in which he referred to the imposing length of the paper covered by subscribers' names. These introductory remarks were followed by the express refusal to take any position on the concrete proposition of the petitioners. He neither directly criticised it nor gave the slightest intimation as to the bases on which, in his opinion, a settlement could and should be made. But he lavished the highest praise on the "spirit" which had dictated the petition, exhorted the petitioners to continue to work in every possible way in the same spirit, and regarding himself declared: "I have thought it my duty to hold myself open and ready for the best adjustment which could be practically made."[1] The author of the phrase the "irrepressible conflict" avoided entirely the discussion of the question whether in the nature of things a settlement acceptable to both parties could still be devised. He indeed admitted the possibility that none might be found, and in that case, unlike Adams, he positively demanded that what could not be accomplished by kindness should be done by force. "If then this Union is to stand or fall by the force of arms, I have advised my people to do as I shall be ready to do myself: stand in the breach, and stand with it or perish with it."[2] But, at the same time, he expressed not only the hope but the confident expectation that an agreement would be reached. He, however, gave no reasons for that hope and expectation. Their place was taken by the assertion that all who opposed the Union would be swept away "as moths on a

[1] Congr. Globe, 2d Sess., 36th Congr., p. 657.
[2] Ib., p. 658.

summer eve, when the whirlwind of popular indignation arose (arises) that would (shall) be excited at the full discovery that this Union is endangered through faction or even impracticability on our part." The boldness of this prophecy [1] was all the greater as it gave it to be clearly understood that he did not promise himself any success on the road which had been thus far followed. He placed all his confidence in the one means furnished by the constitution, the employment of which had never yet been tried: the calling of a convention. Why he believed that he could so confidently assume, first, that the seceded states would send representatives to a convention, and secondly that that convention would manifest less of a spirit of faction and more fertility of resource than congress and the peace conference, he did not say. On the other hand, he laid strong emphasis on the assertion — just as Webster had done in his day — that the struggle of the sections over the territories "has ceased to be a practical question," and most positively denied that any conclusion as to the possibility or probability of an amicable settlement could be drawn from the want of success which had attended their endeavors to effect a compromise for two months past, and which would perhaps attend them for a month more.

Compared with this speech, Adams's declaration was so unimportant that it was not worth while to waste a word on it. Adams had expressed a personal opinion which claimed attention beyond the comparatively narrow limits of his influence only in so far as it was considered an indication of a certain frame of mind. Seward's speech, on the other hand, was considered as a governmental programme. He was not only the designated secretary of state of the coming ad-

[1] He went so far as to say: "Then, sir, this country will find sudden relief in the prompt and unanimous (!) adoption of the measures for its salvation."



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ministration, but he looked upon it as a matter of course that he would be its actual head, and a great many in the party thought so likewise. Hence his words were not to be taken as those of a senator, but of the future federal executive, and what they announced amounted to this: that until further notice no change was to be made in the present policy of the president: not to strike the flag before rebellion, but to maintain a passive attitude of expectancy, while continuing, at the sacrifice of the fundamental principle of the supremacy of the law, to bargain with the conditional rebels about a very doubtful improvement of the constitution, until such time as the rebellion thought the right moment had come to put an end to the undignified and disastrous comedy of self-delusion. Then indeed, but not till then, should logic get its rights, and it be recognized that a nation must treat as rebellion what it declares to be rebellion.

The New York *Tribune* (February 4) informed Seward that the republican party would not follow him on the road which, judging from this speech, he intended to follow. An immense majority of the party saw no necessity of choosing between their principles and the Union; but if they must choose between them, they would prefer their principles to fifty Unions.[1] It is very doubtful, however, whether this was believed even in the editorial rooms of the paper itself. On the 29th of January it had urgently exhorted public opinion to resistance, because only a few more votes were wanted to force the Crittenden compromise through

[1] "In this readiness (to renounce republican principles for the sake of the Union) the senator differs totally from the almost incomparable majority of the republican party, and from the president-elect. They regard these principles as sacred. They will not forswear them at the bidding of a world of seceding and treasonable slave-holders. They see no necessity to choose between them; but if such a choice must be made, they prefer their principles to fifty Unions."

both houses of congress. And Greeley subsequently admitted that in his opinion it would have been adopted by an overwhelming majority if it had been submitted to a direct popular vote; for, since the presidential election, the conservatives had made great gains in all the local elections, and although very few republicans would have voted for the compromise, many would have abstained from voting, while their opponents would have brought their very last man to the ballot-box.[1]

The assertion, indeed, seemed particularly bold at this time. The fact that, a day after Seward's speech, a republican introduced a new compromise proposition, with extensive concessions, in the house of representatives,[2] was only one of the many feathers that showed how the wind blew. While, on the one hand, the pressure that weighed down economic life — especially in the larger cities of the east — found an increasingly forcible expression in political feeling,[3] there came, on the other, from the seced-

[1] Recollections, pp. 396, 397. See, also, the New York *Tribune* of the 4th of February, on the occurrences in Philadelphia and the attitude of the Pennsylvania legislature. Dodge, of New York, a member of the committee who brought the petition presented by Seward to Washington, said in the peace conference: "When we came to Washington we met seventy republican members of the senate and the house of representatives. We had with them a most satisfactory and delightful interview. It gave me renewed hope for my country and her interests when I heard the expressions of conciliation and good will which these gentlemen used. I felt my confidence renewed." Chittenden, Debates of the Conference Convention, p. 191.

[2] Kellogg, of Illinois. When his colleague, McClearnand, alluded to the close personal relation in which he (Kellogg) stood to Lincoln, Kellogg repelled the insinuation that it seemed to contain, with the words, "that no human being is responsible for the proposition but myself." Congr. Globe, 2d Sess., 36th Congr., pp. 390, 391.

[3] Dodge said in the peace conference: "How stands the matter in those cities to-day? Now, just when the spring trade should be commencing, go to the extensive and magnificent establishments for the

ing states, surprising reports concerning the setting in of a reaction in favor of the Union. As the correspondents of a paper like the New York *Tribune* warranted the truth

sale of goods in any of the cities I have named, where goods are sold which in prosperous times found their way into almost every family to a greater or lesser amount in this great country. What will you see in those cities now? The heavy stocks of goods imported last autumn, or laid in from our own manufactories, remain undisturbed and untouched on the shelves. The customers are not there — they have not made their appearance. The few who have come at all, come not as buyers, but as debtors who cannot pay, and whose business is not to make purchases but to arrange for extensions. The merchants, in despair, are pouring over their ledgers, checking off the names of their insolvent debtors, a new list of whom comes by each day's mail. The clerks sit around in idleness reading the newspapers or thinking mournfully of the wives and children at home, who will go unclad and hungry if they are discharged from their places, as they know they must be if this condition of things shall continue. All alike, employers and employed, with all dependent upon them, are looking anxiously, and I wish I could say hopefully, to the congress of the United States, or to this conference, as the only sources from which help may come.

"There are thousands and tens of thousands belonging to these classes all over the country who must have relief, or their ruin is inevitable. And then look at that other class, numerically larger, perhaps, certainly not less worthy of our regard, who are dependent upon these; I mean the mechanics, the day laborers, and those in turn dependent upon them. What are they to do? If some change does not come, if something is not done again to start the wheels of commerce and business, what is to become of them?

"And look too at New England! She has lately been the workshop of the south and west. She has furnished their people with her manufactures — they have been her market. An excellent market, too, have they furnished her; she has grown rich through their consumption. How stands the matter with New England to-day? True, some of her shops are running, but many more are still. The noise of the loom, the rattle of the shuttle, have ceased in many of her factories, while others are gradually discharging their operatives and closing their business. But I will pursue this branch of the subject no farther. No one acquainted with the facts will deny that the whole country is upon the eve of such a financial crisis as it has never seen — that this crisis will

of this joyful news,[1] it was readily and very extensively believed. And how could this movement be more effectually supported than by making further advances. The thing now was to strike the iron, for only the blindest party spirit could deny that it was hot. The people of Virginia had shown that they were not behind the legislature in patriotism. The latter had issued the invitation to a peace conference, and the former had sent a majority of friends of the Union to the state convention. Was not that the shining bow in the heavens extending over the dark clouds of the departing storm and promising peace to the land? Even the fanatical New York *Tribune* could not, with all its fanaticism, help confessing that this was "an eminently hopeful and encouraging sign of the times."[2] If there had only not been other signs of the times which glared into eyes with normal retina and optic nerve much more dazzlingly!

On the day on which Kellogg introduced his compromise proposition, Texas had, in the convention at Austin, resolved on secession.[3] On the day on which Virginia elected

come as sure as that the sun will rise unless we do something to avert it." Chittenden, Debates of the Conference Convention, pp. 193, 194.

[1] Thus, for instance, the Charleston correspondent wrote on the 2d of February: "I wrote to you this morning in respect to the political clouds which are gathering over the secessionist horizon; and private letters, received in the course of the day, from Georgia, Alabama and Louisiana, confirm the worst fears of the South Carolina authorities. According to the accounts it seems that Upper Alabama is in open rebellion against the Yanceyites, while even in the other parts of the state the proceedings at Montgomery are beforehand denounced as the work of designing politicians, whose ambition has been foiled by the freemen of the north. . . . Yancey and Cobb have been burned in effigy in several localities." The New York *Tribune*, February 8, 1861.

[2] New York *Tribune*, February 7, 1861.

[3] The ordinance was to be submitted to a popular vote on the 23d of February, and go into force on the 2d of March, in case it was adopted.

a majority of friends of the Union to its state convention, the North Carolina house of representatives unanimously resolved that the state should join the seceded states[1] in case the efforts at reconciliation were not successful; and, on the following day, Taylor, of Louisiana, declared in the house of representatives, that even if all the numberless compromise proposals were unanimously adopted by both houses of congress, secession would not be stopped by them.[2] On the day on which the peace conference met in Washington, the congress of the seceded states convened in Montgomery, and it acted while the former talked, and its talk only piled proof on proof that, in the nature of things, action productive of fruit was impossible.

The men in Montgomery knew how to appreciate the value of time, and as, so far as the main thing was concerned, there was a complete agreement of views and designs, what was most essential was soon done.

With the constitution of the Union as a model, the drafting of a provisional constitution for the "Confederate States of America" was, despite some radical changes, an easy task. As there was question of only a provisional constitution, it could afford to estimate the danger of possible blunders lower than the time. And, so far as the duration of the constitution was concerned, the convention guarded against any peril from it by simply empowering congress to alter or amend the constitution.[3] The constitution was adopted as early as the 8th of February. On the next day, it proceeded to the election of a president and vice-president. Its choice fell on Jefferson Davis and Alexander H. Stephens. The former arrived in Montgomery on the 17th of

[1] Reb. Rec., I, Diary, p. 17.

[2] Congr. Globe, 2d Sess., 36th Congr., p. 752.

[3] Art. V. "The congress, by a vote of two-thirds, may at any time alter or amend the constitution."

February, and was inaugurated on the following day. His first governmental acts were the nomination of the members of his cabinet, and of a commission who were to carry on the negotiations provided for in the constitution with the federal government respecting a peaceable and amicable agreement with relation to what had hitherto been federal property and to the federal debt. The consolidation of secession into a powerful confederacy of six states, with the claim to as absolute a separate existence in the eyes of international law as the Union, had thus become an accomplished fact. The contradiction, therefore, that had, since the 20th of December, lain in all the talk about the preservation of the Union, should now have been recognized and acknowledged by all. The fact that a few dozen of men had been expressly named for the purpose of squaring the circle, and that the pretty name of peace conference had been given to their conclave, could not, of course, endow them with the capacity of performing that task. They were themselves, as we shall yet see, better aware of this than was, perhaps, assumed. But they acted as if they believed in the possibility of the impossible, and hence on them lay a great part of the blame that the delusion was still harbored very widely among the people.

The conference, which had chosen ex-President Tyler as chairman, met with closed doors and under the express obligation not to allow anything concerning its proceedings to be made public. Hence, only the vaguest conjectures could be made concerning the proposals to be expected from it. It was even entirely uncertain whether the conference would agree on any proposals whatever. This fact, however, only contributed to make it in a certain sense the most decisive political factor. The shackles which had been put on the legislative powers by its very convocation were fastened all the more tightly on them by the impos-

sibility they were under of following its proceedings from day to day. It is, as a general rule, characteristic of a democratic republic, that the legislative powers do not lead public opinion, but, even when they seem to lead it, march only at its head; and they recoil from taking a resolute initiative in proportion to its responsibility — that is, to the seriousness of the consequences that must follow from it. But the prevailing tone of public opinion was decidedly opposed to a decision, so long as it believed it at all possible to evade one, and so long as the peace conference had not yet spoken it could not be convinced that that was impossible. There were, indeed, only few who felt confident that it would find the ardently desired solution of the problem; but there was no doubt that back of the demand that it should be considered an open question, whether the conference would find that solution or not, there was a powerful majority. The president and congress had therefore, unless they wanted to come in conflict with public opinion, to be intent only on the preservation of the state of suspense, until the conference had reached some result and made it known. Their own views had hitherto made them averse to the taking of any action. Now their watchword was inaction and passive expectancy. Speeches and motions continued to be made in congress as plentifully as ever, but all resolutions which could have bound it in any way were quickly and systematically defeated. It was repeatedly and openly remarked that it was determined to take such a course out of consideration for the conference. Nor was this all. More than one resolution was passed which could not be explained or justified by saying that it was desired, by maintaining the *status quo*, to retain full liberty of decision until the proposals of the conference were received.

As early as on the 11th of February, Craig, of North

Carolina, introduced in the house of representatives a "joint resolution" which required the president to recognize the Confederate States, and demanded the reference of this motion to the committee on foreign affairs.[1] The demand was acceded to without any discussion. It was, of course, unwarranted to draw any inferences from this as to the position of the house on the main question. But to have been thus considerate even in purely formal action was highly unbecoming, and betrayed a disquieting amount of weakness, obscurity and uncertainty. Secession was either the exercise of an indisputable right or it was rebellion. In the former case, the recognition of the confederacy was a matter of course, and in the latter, the motion not only did not need to be discussed, but congress had no right whatever to consider it. It therefore should not have been referred to a committee, but should have been unceremoniously rejected, and its authors branded as fomentors of high treason.

It must not be inferred from this resolution that the house was inclined to strike the flag before rebellion. But was the house firmly resolved to put down and trample upon rebellion, if it could not be induced, in a friendly way, to haul down its own? Whether an affirmative answer could be given to this question now seemed more doubtful than it had up to the moment that Virginia appeared in the role of a mediator.

The bill which the committee on military affairs caused to be introduced by Benjamin Stanton on the day of Davis's inauguration[2] differed very materially, but not at all to its advantage, from the bill which Reynolds had introduced in the name of the Howard committee, only to occasion its immediate burial himself. The latter wanted to give the

[1] Congr. Globe, 2d Sess., 36th Congr., pp. 853, 854.
[2] Ib., p. 1001.

president the military power and means necessary not only to insure the safety of, and to hold, such forts and other federal property as was still in the hands of the government, but also to regain possession of what had been wrested from it in an illegal manner. The new bill was entirely silent on this subject. To the cases in which the president might, according to existing laws, call out the militia and employ the regular army, it added "the case of insurrections against the authority of the United States," and, further, gave him the right to call for volunteers in all these cases. If, in the opinion of the president, what had been done hitherto amounted to an insurrection against the authority of the United States, he might, unquestionably, under the provisions of this bill, have had recourse to force; but the legal obligation of considering the recovery of federal property unlawfully wrested from the government as a sufficient ground for the employment of force was not expressly mentioned. While the Reynolds bill would have forced the president to act, the Stanton bill shifted the responsibility of the decision entirely from his shoulders, and slyly intimated that further perseverance in the passivity he had hitherto maintained would not be undesirable. Stanton himself called it "the most harmless thing in the world," intended only to supply "an accidental omission" in the law of 1795. Even that was, however, more than some of his party associates thought they should answer for. Corwin, the chairman of the committee of thirty-three, moved on the 26th of February that the further discussion of the bill should be postponed until the 28th, whereupon Stanton pointed out that this was a masked motion to reject, because there would not be time enough left to get the assent of the senate. This was not contradicted, but notwithstanding, or rather for that very reason, Corwin's

motion was adopted by a vote of one hundred to seventy-four.[1]

Corwin's immediate motive for removing the sword from the field of vision of sensitive southern eyes was his desire that not even the slightest shadow should fall on the sweet morsel with which he wanted to attract them. One of the motions of the committee of thirty-three was that by a constitutional amendment the free states should be deprived of the right to propose any constitutional amendments whatever with regard to slavery in the states, and to require the consent of all the states for the adoption of such constitutional amendments. In accordance with a motion first made by Seward in the senate committee of thirteen,[2] Corwin now strengthened this motion so that any amendment of the constitution which granted congress any power over slavery in the states[3] should be forever prohibited. He at the same time expressly declared that he made the motion as chairman of the committee of thirty-three.[4] He had no right whatever to do this, as the question had not come before the committee at all, but Corwin had assured himself personally of the agreement of a majority of the members. Under the circumstances that was no meaningless question of form. The possibility of the opposition making its views prevail had to be confined within the narrowest limits, and the proposal was to be helped forward in the house and in public opinion by falsely labeling it the motion of the committee.

If anything could still be accomplished by such trickery, only inconceivable incapacity could account for the fact

[1] Congr. Globe, 2d Sess., 36th Congr., p. 1232.

[2] See Congr. Globe, 2d Sess., 36th Congr., App., p. 41.

[3] "To abolish or interfere, within any state, with," etc.

[4] Congr. Globe, 2d Sess., 36th Congr., p. 1236.

that congress had not succeeded long ago in sweeping every cloud from the heavens. And could what it was intended to do deserve to be judged any more favorably than the manner in which it was intended to do it? Johnson, of Arkansas, had said in the senate on the 19th of February that the deluge of petitions with advice as to the best means of conjuring the crisis which were presented to congress were as valueless as the singing of "psalms to a dead horse." And now this offer which had, indeed, procured to the south the bootless satisfaction of an act of moral self-debasement on the part of the north, but which at the time could scarcely have been considered by the former a material concession, and certainly had not been so considered, was to induce the seceded states to dissolve the confederacy they had just formed, and cement anew the ruptured Union into one of "perpetual" duration! Was not such a hope evidence of a lack of political judgment vastly greater than even the greatest obscurantist in congress should have been accused of?

The right answer to the question whether, in fact, such foolish hopes were entertained in congress may be inferred from the following sentences of a speech delivered by Stanton on the 28th of February. When the Union still contained fifteen slave states, it was, he said, "a matter of very little consequence whether such an amendment as that were incorporated in the constitution or not. But the state of the country is now radically and essentially changed. Seven or eight states now deny their allegiance to this government, have organized a separate confederacy, and have declared their independence of this government. Whether this independence is to be maintained or not is with the future. If they shall maintain their position, and if public opinion in those seceding states shall sustain the authorities there for a year or two to come, so as to show

that nothing but a war of subjugation and conquest can bring them back, I for one am disposed to recognize that independence. Now, in this state of things, if the remaining seven slave-holding states remain in this confederacy, they are entitled to additional guaranties."[1]

From these sentences it is evident that Stanton expressed his real views and intention when he called the militia and volunteer bill introduced by him "the most harmless thing in the world." But the incomparably more important fact is also deducible from them, that at least the direct object now aimed at, by the endeavors to effect a compromise by means of amendments to the constitution, was no longer the restoration of the Union, but only the preservation of what still remained of it. The question was no longer the winning back of the seceded states, but the prevention of the secession of the remaining slave states.

The task which it was intended the Virginia peace convention should perform was in reality confined to this, and its performance was all that was expected even by those who hoped it would do anything. As early as the fifth day after it had met, an anonymous politician remarked in his diary that that was what all its endeavors threatened to amount to.[2]

It was subsequently frankly said by various members of it, that that alone could be hoped for, and even that alone was intended. "We are here," said Coulter, of Missouri, "because the border states are alarmed for their

[1] Congr. Globe, 2d Sess., 36th Congr., p. 1284.

[2] "I can anticipate nothing from the peace convention. The Virginians are driving things, as I told Mr. Seddon to-day, much too vehemently; and the whole affair assumes the aspect rather of an attempt to keep Virginia from seceding than of a settled effort to form a bridge for the return of the already seceded states." The Diary of a Public Man, The *North Amer. Rev.*, August, 1879, pp. 134, 135.

own safety. We wish them to remain in the Union. The purpose of our consultations is to make an arrangement under which they can stay in the Union." [1]

The people did not look upon the matter in this way, and in many respects their expectations were greater. If information had been furnished them of the deliberations of the convention, they would have had only themselves to blame if they did not perceive that even the carrying out of this limited programme was impossible.

Not only the seceded but five free states were unrepresented in the convention. The allowance of time between the invitation to, and the meeting of, the convention was too short for California and Oregon. But why were Michigan, Wisconsin and Minnesota not represented in it? Any one who had taken notice latterly of the tone of the press could find no difficulty in answering this question. "Until that flag," wrote the Springfield (Ill.) *Journal* on the 6th of February, "is unfurled over Moultrie, and every other stolen fort, arsenal, custom-house and navy-yard, until the laws of the government are obeyed, and its authority recognized, let us never talk about compromise." In the northwest the proud consciousness of strength was too great, and the feeling too intense and impulsive, to allow men to calculate and weigh as they did in the east, more sicklied over with the pale cast of thought. "We are asked," wrote the Detroit *Advertiser* on the 3d of February, "to concede, just as we have gained our point, all that we have been struggling for for the last six years." No talk could change this fact, while the common sense and self-reliance of the west revolted against the idea of allowing themselves to be looked upon as fools. To deny their manhood was not the way of western men. And why should that be a virtue and a command of patriotism for the whole people which

[1] Chittenden, p. 399.

was contemptible in individuals? This manner of viewing the situation was here, in the case of the most influential persons in the party, not weakened but strengthened by the course of events. That congress continued its fruitless endeavors to distill a healing draught from the numberless mixtures furnished it by its own members and from among the people, could not be prevented. The peace convention, on the other hand, had no official existence, and the sending of representatives to it was a matter for the states to freely decide for themselves. Keeping away from it, on the other hand, was a demonstration, and was intended to be. South Carolina had answered Virginia's invitation clearly and curtly: I will not. The non-participation of the three northwestern states meant the same thing: We shall have nothing to do with your convention; no more bartering of our right and of the supremacy of the law!

Before the peace convention with its resolutions had been dismissed forever, two documentary proofs of this came to the knowledge of the entire people. Confidential letters of the two senators from Michigan to the governor of the state found their way into the press, and were read in the senate.[1] The object of both letters was, indeed, to have delegates sent to the convention even at the eleventh hour. The wish that they should be sent was, however, grounded on the entreaties of Massachusetts and New York, which afterwards became convinced that no republican state should send representatives to it but those which were now there and could not get away, and hence earnestly urged that assistance should be immediately sent them in order to oppose those states which it was feared would yield. "I hope," said Chandler's letter, "that you will send stiff-backed men or none." And he added in a postscript: "Some of the manufacturing states think that a fight would

[1] Chittenden, pp. 467–469.

be awful. Without a little blood-letting, this Union will not, in my estimation, be worth a rush." Less forcible, but not less weighty, was Bingham's declaration: "It may be justifiable and proper, by any honorable means, to avert the lasting disgrace which will attach to a free people who, by the peaceful exercise of the ballot, have just released themselves from the tyranny of slavery, if they should now succumb to treasonable threats, and again submit to a degrading thraldrom."

That the delegations of Massachusetts and New York[1] thought so likewise is evident from what has been already quoted. Bingham, however, further remarked in his letter: "We have been assured by friends on whom we can rely, that if those states [Michigan and Wisconsin] should send delegations of true, unflinching men, there would probably be a majority in favor of the constitution as it is, who would frown down rebellion by the enforcement of laws." But assuming even that this hope should prove unfounded, the minority was certainly powerful. What moral weight, then, could the proposals of this improvised extra-constitutional saving commission have? A ship in a storm cannot be fastened with a thread as with grappling irons. The peace convention might, perhaps, be able to stir up a disastrous quarrel in the republican camp, but it could not extinguish the burning fuse in the states that had not yet seceded, and this not merely or even mainly because so large a number of free states would not co-operate with them in doing so. This last fact would, indeed, have sufficed to render its endeavors futile; but it was not the actually decisive element. The attitude of the delegates of the southern states made the convention resemble a weaver industriously throwing his shuttle with its thread from one side to the other of a loom without a warp.

[1] Only the majority.

The committee charged with the elaboration of a compromise proposition required ten days to prepare its report, and hence the real work of the full session of the convention did not begin till the 15th of February. Then the flood of general discussion began to pour out in such volume day after day that several members compared the convention to the "circumlocution office" in Dickens's Bleak House, "showing how not to do it." The members not only talked vaguely all around the propositions, but circumstantially discussed the question whether the convention itself had any meaning or justification. Despite this general character, however, the debates were attended by one very important result. It was shown, on the one hand, as Tuck, of New Hampshire, said, that the majority of the northern democrats "supported southern views of southern interests as earnestly and emphatically as any southern man had done;"[1] and, on the other, that their wooing met with no encouragement whatever from the southern delegates.

Seddon, of Virginia, had immediately handed in a report of his own, in which, notwithstanding the commendable calm and moderation of the terms in which it was couched, gave it to be understood plainly enough that the delegates might have remained quietly at home if they thought that the slave states would be satisfied with such an offer as the proposals of the majority of the committee. Virginia had said what she would be satisfied with — the Crittenden propositions with certain additional amendments; "the propositions reported by the majority did not give but materially weakened the Crittenden propositions themselves, and failed to accord the modifications suggested." Such was the substance of what he said. To this, however, was added a rather covert declaration that he considered it "in-

[1] Chittenden, p. 177.

dispensable" to secure the slave states their proper power in the constitution; he was willing to discuss how that could be done, but submitted that a suitable way would be "a partition of power in the senate between the two sections," and "a recognition that ours is a Union of freedom and consent, not constraint and force."[1] This meant: the transformation of the federation made up of equal states into a confederation formed of two groups of equal states.

Even apart from these last demands, which in a way entirely different from the preceding statements and inferences were the expression of personal views, it was manifest from these declarations that the convention was chasing after shadows. Not in its form, indeed, but in its tenor, the report was the announcement that Virginia had really invited its fellow states to submit its ultimatum to their vote. The proper answer had to be waited for for a time, but it was received at last. "If Illinois had understood," said Cook, "that she was only to come here for the purpose of agreeing to the propositions of Virginia, as announced in the resolutions which accompanied her invitation, the conference may be assured that Illinois would not have appeared here at all. She understood that she was invited to a *conference*, in which all the states were to meet upon a basis of perfect equality."[2] But Chandler had said of Illinois that, like Ohio, Indiana and Rhode Island, it looked as if it was getting weary. Seddon's blows, therefore, had not made the iron any more flexible: they had forged it all the harder. And the more earnest the discussion became and extended to individual, concrete questions, the larger became the number of southerners who sided with Seddon, and the more heavily did they lay on in the same way. "I feel," said

[1] Ib., p. 48.
[2] Ib., p. 313.

Guthrie, of Kentucky, "that my mission here is ended and that I may as well withdraw from the conference."[1] "If I thought," said Stephens, of Tennessee, "that the spirit of the north was truly represented in this conference, I would go home and advise my state to secede, and if she did not, I would abandon her forever."[2] "The propositions contained in the report of the majority," declared Reid, of North Carolina, "as that report now stands, can never receive my assent. I cannot recommend them to congress or to the people of my own state."[3] "I know the people of the south," exclaimed Barringer of the same state, and I tell you this hollow compromise will never satisfy them."[4]

A hollow compromise! Such were the thanks that the northern delegates received not only for entirely abstaining from turning their victory with respect to slavery to any advantage, but also for asking forgiveness for the fruitless victory by the granting of a multitude of highly important rights and privileges to the slave states, which they had hitherto not had, and above all by the admitting into the constitution the principle that none of its more material provisions for the protection of the slave-holding interest should be changed without the assent of all the states. While its duties remained what they had always been, nay while they were largely increased, the Union was, permanently and in principle, so far as its rights in relation to slavery were concerned, to surrender its character as a federative state, and as a unit state (*Gesammtstaat*) renounce forever all power of development, that is, its life, with respect to a particular interest which was a common danger to all the states. And what was it to get in return for this sacrifice? Less than the shadow of a shadow.

[1] Ib., p. 369.
[2] Ib., p. 382.
[3] Ib., p. 434.
[4] Ib., p. 436.

Field, of New York, put the motion in various forms expressly to declare in the constitution the indissolubility of the Union. Rives, of Virginia, called that "a mere abstraction," and several northern delegates also opposed any consideration of that question of principle. They claimed, on the one hand, that such a declaration was useless, because it would be simply the declaration of what was indisputable and self-evident, and, on the other, that it would be the sealing of the disruption of the Union, since the adoption of such a position on that principle would render the return of the seceded states forever impossible. For these self-contradictory reasons Field's motions were defeated. This, however, could be understood, if the northern delegates whose votes brought it about really considered it still possible, by means of the propositions of the conference, to induce the confederacy to decree its own dissolution and the members of it to return to the Union; in order to make the actual restoration of the Union possible, the right of secession would thus have been left an open question. This, however, was, in any case, only one side of the question, the answer to which had to govern the decision of the delegates on Field's demand. In the first place, it had undoubtedly to be asked whether the concessions contemplated would oppose a barrier to further secessions. The sole object of the conference was to reach an agreement by means of which the Union might be preserved, or at least what still remained of the Union. If now the concessions were to be irrevocable, logic imperatively required that that for which alone the concessions had been made should be insured in the same way for all time. If, however, for reasons of expediency it was thought not advisable to insist on this, it had at least to be demanded that the declaration should be made in the most unambiguous manner: as we understand it, the slave states accepting this agreement bind them-

selves permanently and without reserve to surrender all claim to the right of secession. Unless this were done, there was no use in talking about a contract at all, for mutuality enters into the idea of a contract; here, however, the one party had only given and the other only received. But that was the way in which the gentlemen of the south understood the "compromise" that was to be entered into. They did not so declare; they even expressly refused to so declare; and not only that, but, in the form of a motion, they put on record their opposition to the principle the express recognition of which Field had demanded. For that is the purport of the amendment moved by Buckner, that, from the indissolubility of the Union intended by the constitution, a right of the federal government should not be deduced to employ force against a state which did not comply with the obligations imposed by the constitution with that intent. In this way, indeed, Field's motion became a mere abstraction. Still all the slave states represented in the conference, with the exception of Tennessee, voted for Buckner's amendment. On the other hand, all the free states voted against the amendment, which, however, was only the doctrine proclaimed by Buchanan. Were the haughty gentlemen of the south unable to comprehend this vote? Frelinghuysen, of New Jersey, had indeed preached the doctrine of the patriotic wisdom of accommodating one's self to circumstances and of the folly of testing whether the country had a government or not, with a frankness and force that were simply appalling.[1] But this vote should have only made the question still more urgent, whether, after all, there was not a limit, the exceeding of which would bring the south face to face with a resolute and solid north.

The claims, however, which the gentlemen of the south

[1] See Ib., pp. 185, 188.

thought they might make on the yielding temper of the north were not exhausted even after the announcement that all the latter expected in return for all it would be ready to offer was merely the hope that all, or perhaps only some, of the states which had not yet seceded would for the present abstain from terminating their connection with the Union. "Virginia will not permit coercion," exclaimed Seddon with emphasis on the 19th of February; whereupon Morrill, of Maine, said: "I wish to ask the gentleman from Virginia a plain question, and I wish to receive a frank answer. If this conference agrees to the amendments proposed by the majority of the committee, will Virginia sustain the government and maintain its integrity, while the people are considering and acting on the proposals of amendment to the constitution? If she will not do this, if this proposition does not meet the heart of Virginia, there is no use."

Seddon interrupted him: "I can let Virginia speak for herself. She has spoken for herself in most emphatic language. She has told you what will satisfy her in the resolutions under which this body is convened. I have no right whatever to suppose that she will accept less. She is solemnly pledged to resist coercion. She will resist it to the very last extremity."[1]

The annulment of the constitutional presidential election, so far as the programme of the victorious party relating to slavery was concerned; the granting of new rights and privileges to the defeated party for all future time; the permanent and irrevocable surrrender of the right legislatively to assert or enforce the will of the majority no matter how great, with respect to the question in controversy; the refusal of the promise to consider themselves bound by the agreement; the announcement that they would cut

[1] Ib., pp. 146, 147.

loose from it, if the seceded states rejected it; the declaration that, even after it had been formally concluded, it would be not only undoubtedly annulled but cut to pieces with the sword, unless expression was given by acts to the conviction that both president and congress, not without a breach of their oath to support the constitution, might sacrifice the rights of the Union for the benefit of the seceded states,— such was the bargain proposed by the defeated party to the victors, accompanied with a claim to grateful recognition for their self-sacrificing advances, and seasoned with many a bitter reproach. Against Chandler's opinion that blood must flow in order to restore some value to the Union, arguments might still be found which might in good faith be considered valid. But there were no such arguments for a Union purchased on such conditions as these. It would have been worse than worthless; for, in addition to its worthlessness, the brand of ignominy would have been ineffaceably burned into it. The American people would, by self-degradation added to sacrifice of their political being, have purchased the false appearance of continued national existence. The verdict of history will therefore doubtless be that the best patriots were those delegates on whom Price thought he was passing the most dreadful and destructive sentence when he charged them with having from the very first day striven to oppose in principle the patriotic endeavors of the conference.[1]

To judge from what was officially published, this opposition was completely defeated, and Virginia might boast of having obtained its immediate object. The conference had come up to the hopes entertained of it to this extent: it had made definite proposals to the people. It adjourned *sine die* on the 27th of February, after it had addressed a letter to congress, which closed with the words: "They"— the

[1] Ib., pp. 400, 401.

twenty-one states of the conference, represented by one hundred and thirty-three delegates —"have approved what is herewith submitted, and respectfully request that your honorable body will submit it to conventions in the states as an article of amendment to the constitution of the United States." That had a very imposing sound. What the delegates of twenty-one states had approved as a basis of agreement must certainly recommend itself sufficiently to claim that its examination should be approached not only without bias but with a certain amount of cheerful hopefulness. But even if the conference had not become guilty of a formal untruth, the concluding sentence quoted above practically amounted to a pious fraud. Each of the seven sections of the article of amendment had, indeed, been approved by a majority of the votes of the states, but the majorities for the several sections had been differently composed, and the amendment as a whole had not been submitted to a vote. But as the states were far from being represented according to their population, but had sent an arbitrary number of delegates to the conference, and as diametrically opposite views were represented in several delegations, and the majority of votes in each delegation was considered the vote of the state, it was uncertain whether the separate sections had been approved by a majority of the delegates. Back of the proposition as a whole there was neither a majority of the votes of the states nor a majority of the delegates, that is, the proposition as a whole had no existence whatever, and yet the conference petitioned that it should be submitted as a whole to the state conventions for adoption. And even that was not "the whole truth."[1]

The vote on the first section, which dealt with the territorial question, had been taken on the 26th of February, and the result was its defeat by the votes of eleven states

[1] Ib., p. 449.

against eight. The excitement was great. For a time it was impossible to continue the business before the conference in a parliamentary way: it had been transformed into an unorganized crowd of men, every one claiming the floor and interrupting every one else. Finally reconsideration was moved and adopted, but the question was not taken up again immediately, but an adjournment voted till the evening. In so short a time, however, sufficient pressure could not be exercised to induce the requisite number of members to change their vote. When the conference met again at the hour fixed, Wickliffe, of Kentucky, again moved another adjournment till next morning because it was "certain that the vote had better not be taken that (this) evening."[1] No further debate was attempted by either side on the next day. A vote was immediately taken, and the result was nine ayes against eight noes. The minority, therefore, had gained only one vote (Illinois) and still had become the majority, although on the 26th three more votes had been cast against the section under consideration. Where were the other votes? A full vote had not been cast even on the 26th. Kansas and Indiana were absent from the list of votes. The reasons for this were given when the vote was taken on the following day. The vote of Kansas was "divided," and Indiana abstained from voting because the instructions of the legislature forbade the delegates to accept any proposition without first having submitted it to it, and it had not been possible to do that. But why were Missouri and New York, which had taken part in the first vote, voiceless at the second? So far as Missouri is concerned, Chittenden's notes afford no answer. But there can be scarcely any doubt as to the right explanation. It had not resisted the pressure brought to bear on it, but neither had it entirely yielded to it. The delega-

[1] Ib., p. 439.

tion no longer prevented the adoption of the section, but refused its co-operation, and that tacitly: it did not even want, by declaring its abstention from voting, to show that it had rendered the compromise proposition possible. The transformation of the minority into a majority was therefore only a deceptive appearance. And yet even this had been effected merely by the fact that an entirely accidental circumstance was exploited in a way that made the deceptive appearance a conscious deception. Field, the chairman of the New York delegation, had, as an attorney, to attend a session of the United States supreme court. He thought he could fulfill his duty to his clients without neglecting his political duties to his state, since the delegation had resolved to abide by its vote against the section, and the votes of the states had hitherto been cast by the chairman without regard to the question whether the vote represented the views of a majority of the members present at the moment. Now, however, attention was called to Field's absence, and the question whether his vote should, notwithstanding that fact, be counted, was answered in the negative. The consequence was that the votes of the delegates were equally divided, and New York's vote lost to the opposition. The most important provisions, therefore, of the compromise proposition were not only not approved by the majority, but the majority of the delegations was in reality against it, and among the delegations which would have nothing to do with the provisions just referred to was the delegation of Virginia itself.

The result of the conference was therefore a vain delusion. The endeavor which Virginia had caused to be made to effect an agreement in an extra-constitutional manner had completely failed. The conference petitioned congress to recommend the state conventions to adopt what had not received its own approval.

Could it seem conceivable that congress would consent

to do that? And of what use could it be if it did consent? If it consented to it, it must be because the propositions in themselves seemed acceptable to it. For, of course, it was sufficiently well informed of what happened in the conference to know that the moral authority with which it was clothed was an untruthful fiction. Naturally the opponents of the conference took good care that these facts should become known to the entire public. But what foundation was there for the assumption that these propositions in themselves would satisfy congress and the public better than the numberless others which had been previously made? If any fact had been settled beyond a doubt by these endless discussions, it was that it was wholly indifferent whether the weight with which the questions in controversy were laid in the two scales of the compromise balance was somewhat increased or diminished. The compromise did not succeed, not because in the proportions of the mixture a mistake of a few grams had been made, but because from the very nature of the ingredients any medicine that could be compounded out of them must seem to the one side or the other worse than the disease it was meant to counteract. The supporters of the compromise propositions did not pretend that they advocated them because they were the best that had been made or could be made. Many of them even declared expressly that they did so, although they decidedly preferred others. They honestly confessed that they made a great sacrifice of their convictions, and that they had been determined thereto solely by the value of the label, "Peace Conference." But by making this confession they passed final judgment on the endeavors to reach a compromise, for all it meant was this: let us try by a fraudulent label to dupe ourselves and the people into a settlement; without this self-deception, none can be devised.

To such an absurdity was the thought of highly gifted

men ultimately led by their patriotism, because, on the one hand, they clung with the strength of despair to the conviction that the Union must be saved, and, on the other, because the idea that its salvation could be wrought out by other means than a compromise seemed madness to them. Douglas, who had advocated the right of coercion with such invincible logic and such refreshing energy, had said on the 21st of February: "I have too much respect for the intelligence of the senators to believe for one moment that they hope to preserve this Union by military force. . . . You must do one of two things: either settle the difficulty amicably or by the sword. An amicable settlement is a perpetuation of the Union. The use of the sword is war, disunion and separation, now and forever." [1] The explanation of the delusion as to a compromise evidenced by these words was simple, and just as simple was the contents every compromise must have, which could make an amicable settlement of the controversy possible. McLean, of New York, embodied them in the following constitutional amendment, providing that disunion and treason might be rendered lawful: "Whenever a party shall be beaten in an election for president and vice-president, such party may rebel and take up arms, and, unless the successful shall adopt as its own the principles of the defeated party, and consent to such amendments of the constitution as the latter party shall dictate, then, in such case, the Union shall be at an end." [2]

True to the old saying that a drowning man grasps at a straw, the congress persevered to the last moment in the work of compromise, and there were still people enough who uttered a shout of jubilation when it closed its life in the act of snatching at one with convulsive efforts.

The Crittenden propositions had been rejected on the

[1] Congr. Globe, 2d Sess., 36th Congr., p. 1081.
[2] Ib., App., p. 222.

27th of February by the house of representatives by a large majority (one hundred and thirteen against eighty), and scarcely any one could still expect any effect from the adoption of the "first series" of resolutions of the committee of thirty-three.[1] As matters now were, the slave states could see in them only a non-binding assurance that the north honestly and earnestly desired to earn a certificate of laudable good conduct: a few drops of rose water trickled into the flames of a blast furnace, while at the same time fresh coals were shoveled into it by the declaration that it was the duty of the government to execute the laws, to protect federal property, and to preserve the Union. The advocates of a compromise rested their hopes on the constitutional amendment as drafted anew by Corwin. A majority of two-thirds, however, was necessary for its adoption, and the vote on the 27th was only one hundred and twenty-three ayes against seventy-one noes. But the matter was not given up as lost, and by the following morning the requisite number of dilatory ones was obtained, and the weak-kneed overthrown. Reconsideration was first carried and the resolution then adopted by one hundred and thirty-three votes against sixty-five.

The straw was now first caught sight of. The decision of the house could acquire the possibility of practical importance only after the senate had made it its own by a two-thirds majority. But whether it would do that was, however, exceedingly doubtful, and if it did, there would be a formal and legal but by no means an actual possibility of the proposition having a practical importance.

The advocates of a compromise in the senate engaged in the work of reconciliation even more devotedly and perseveringly than the house. But they believed that the good

[1] Congr. Globe, 2d Sess., 36th Congr., p. 1261.

fight had to be fought with a different battle-cry. They had, however, to choose between two. On the question which deserved the preference, a violent quarrel occurred, and the 4th of March, on which the life of the Thirty-sixth congress was to end, was fast approaching.

The committee to which the letter of the peace conference had been referred moved, through Crittenden, on the 28th of February, a joint resolution framed as follows: "Whereas," on Virginia's invitation, delegates from Maine, etc., have met in convention and petitioned congress "on the part and in the name of said states to propose the following" to the states as an amendment to the constitution, it is therefore hereby resolved to submit the foregoing to the states as a constitutional amendment. A more singular motion can scarcely be found in the annals of congress. In the first place, among the states enumerated by name was Wisconsin, which had not been actually represented in the conference. Such a demonstrable and notorious objective untruth in the preamble of a motion of such great importance was strange enough. But stranger still, and more significant, was the second demonstrable untruth that the conference had made its petition "on the part and in the name of said states" — which it had no right to do — and that untruth also had been incorporated into the preamble of the motion. But the most astounding and most important thing of all was that congress was to submit the constitutional amendment to the states, not because it approved its contents, but because an extra-constitutional conference had requested it and considered it well adapted to preserve peace and insure the safety of the Union. This last also, as has been shown, was not in harmony with the facts, and it was therefore a really monstrous claim the committee made on congress, or that congress would have made upon the states if it adopted the motion of the committee. Only

on the shaky ground of false pretenses was the new foundation to rest on which the shattered Union was to grow together again into a storm-proof structure.

Scoffs and sneers were the answer that the gray-haired Union-saver, who, in patriotic anxiety of mind, venerable and worthy of all commiseration, stood expectant, received from those whose assent was the first precondition of self-delusion in congress as well as out of it. Hunter not only showed why, under these provisions, what was conformable to law would be more doubtful than ever, but even claimed that under them the slave states would fare much worse than under the present constitution with the Dred Scott decision.[1] Mason and Green entirely approved these views, and Wigfall declared that such a change of the constitution would drive the seceded states out of the Union if they had not already left it.[2]

But Crittenden's conviction that this straw was the best one to grasp at could not be shaken by such means. Even if this were true, it is hard to perceive how he could expect anything from it. The house of representatives had given the preference to another, and nothing warranted the hope that it would change its mind within twenty-four hours. But a resolution on which both houses agreed was the indispensable precondition of anything further, and congress had only one more working day, as the 3d of March fell on Sunday. From this point of view, therefore, it was entirely indifferent whether congress adopted the propositions of the peace conference or the Crittenden propositions, and the endless discussions on the final fate of the latter at the time, and afterwards in historical literature, bear, on this very account, no proportion whatever to their real importance.

[1] Congr. Globe, 2d Sess., 36th Congr., pp. 1307–1309.

[2] Ib., p. 1373. In his opinion the basis of all negotiations should be the express recognition of the right of secession in the constitution.

This and the further consideration that the attitude of the republicans towards the various compromise propositions was not unimportant determined a part of the most honest advocates of a compromise not to follow Crittenden in this question, but to labor with all their strength for the adoption of the resolution of the house with the constitutional amendment as drafted by Corwin. Douglas especially entered the lists in favor of this last with all his stormy energy, although he had said on the 3d of January that if the slave states were offered nothing else, such a constitutional amendment would be the best means to drive them out of the Union.[1] This itself showed plainly enough what would be gained by the adoption of the Corwin amendment. But the course of the debate forced from Douglas a further declaration, equivalent to the formal admission, that here, too, there was question really only of a straw. He opposed a change in the wording of the amendment, moved by Pugh, by calling attention to the fact that the house had already adjourned, and that therefore any change meant rejection. An effort was made to weaken this objection by reminding him that, according to custom, congress might meet and pass resolutions during the morning hours of the 4th of March. One might have felt tempted to look upon this consolation as downright mockery. Douglas declined it with an argument that was irrefutable, but which took the ground from under his own feet. If submitted to another vote, he said, the Cor-

[1] "If you had exhausted your ingenuity in devising a plan for the express purpose of increasing the apprehensions and inflaming the passions of the southern people, with the view of driving them into revolution and disunion, none could have been contrived better calculated to accomplish the object than the offering of that one amendment to the constitution, and rejecting all others which are infinitely more important to the safety and domestic tranquillity of the slave-holding states." Congr. Globe, 2d Sess., 36th Congr., App., p. 42.

win amendment would not again receive the requisite majority in the house. This was as certain as it could be without actual trial; but precisely on that account did it seem a piece of downright mockery, and not of the senate alone but of the entire people, when, with that confession on their lips, they ventured to laud the "joint resolution," and demand its adoption as a redeeming deed.

This was held up to Douglas in the most varied forms — politely and roughly, sarcastically and indignantly. But he and his associates pressed forward all the more forcibly and pleaded all the more persuasively. Not until the Corwin amendment was securely housed would they promise that they would surely not fail to assist in the further work of salvation. Then the vote on the resolutions of the peace conference, as well as on the Crittenden propositions, should be proceeded with immediately, measures for which Pugh wanted to secure precedence by moving them as an amendment to the "joint resolution."

Persistence and the simple tactics of voting down, regardless of their tenor, all counter-motions, led them to the goal. The struggle which was resumed afresh on Sunday evening, after it had been interrupted at midnight on Saturday, and in which the over-crowded galleries — filled mainly by those who had flocked to Washington to witness Lincoln's inauguration — had participated with stormy demonstrations, closed with the adoption of the "joint resolution."

"All feel that it is the harbinger of peace," exultingly wrote the *Commercial* in its report of the wild jubilation with which the galleries had greeted the announcement of the result of the vote in the house of representatives.[1] Peace must, indeed, now be fully insured, for the great measure had been successful: neither the waves nor the storm could

[1] Reb. Rec., I, p. 16.

any longer carry away the straw at which the sinking country grasped. We are told that when a drowning man's senses begin to leave him purple flames rise before his eyes and marvelous melodies resound in his ears. It was not, as the fools believed, the brightening, rosy dawn heralding the coming of the day, but the last ray of the departed light glimmering, scarcely perceptible, for a second, on the far horizon, through the darkness of the deepening night. Thirty-six senators had participated in the vote; that is, two more than the number required to pass the resolution — twenty-four ayes to twelve noes; that is, the exact two-thirds majority necessary to adopt it. I vote aye, Pugh had declared, only because my friends wish me to. A bread-pill, Mason had said contemptuously, and Clingman and other slavocrats had emphatically agreed with him. A bread-pill, repeated Wade several times, laying stress upon the word; but we will give no more bread-pills. You formerly offered them yourselves, and have all the less reason now to refuse them, even if they be only bread-pills, Douglas had urged; but of the claim that they were an efficacious remedy there was not a trace now to be found in his utterances. The impossibility of agreeing upon any proposition by means of which anything could be gained was only placed in the most glaring light by apparent success. And this seeming success was the only result of the long and stormy sessions of the 2d and 3d of March. The propositions of the peace conference were rejected by twenty-seven against eight, and the Crittenden propositions by twenty against nineteen votes.

The entire session had been, from the very first day, an unbroken chain of proofs of the absolute impotence of congress in presence of the catastrophe that had come. Not a single act to keep it within bounds or to lessen its force. Words, nothing but words, because men neither wanted to

do what they could, nor could do what they would. That the lack of the necessary moral force, and especially of the necessary political insight, played a part here was undeniable, and evident enough. But, after all, these were only promotive elements. The cause was exclusively the historical development of the slavery question, and the question of state sovereignty growing out of the actual circumstances of the country. Hence, even the parting greeting of the rump of the Thirty-sixth congress to the country could not be an act — a deed. "Adopted in order that we may seem to have done something." The Corwin resolution bore that superscription as plainly as if it was printed in capital letters. The most decided slavocrats had not been able to help voting for the Corwin proposition, but, as a compromise, they had expressly and decidedly rejected it. The masses in the center clung, indeed, to the hope in the healing power of time, and it therefore seemed to them a gain that congress made any offer; for, insignificant though it was, might it not be the beginning of the doing of something more? And among the republicans who voted aye there was scarcely one who could be deceived by the shimmer of the colors because the soap-bubble was blown from the pipe of their master, Seward: they only wanted to defend their right in their own eyes, the eyes of the people and of the whole world, to the consolation expressed in the words, *salvavi animam meam*, by pointing to that resolution.

The day broke cold and cloudy; but the sun shone as warmly as in May, when, immediately before the beginning of the inauguration ceremonies in the house and the senate, their adjournment *sine die* was declared. Did the fates wish to announce the future in signs, and how were these signs to be interpreted?

Disguised, and on a railway train on which his presence could not have been suspected, Lincoln had arrived on the

23d of February, and Scott had made extraordinary military precautions for the inauguration. Whether it was owing to these measures that Lincoln had reached Washington alive and that the inauguration took place without disturbance is a question which it will never be possible to answer with certainty. Even if it be thought that it must be answered in the negative, it must be conceded that the great excess of caution could not be so serious a mistake as the least defect of it. For the regular taking possession of the office and the possession of the federal capital might easily be decisive of whether there would ever be another president of the United States. Despite the inauguration, Lincoln was president only in name and by right. That he and Scott could have considered these measures necessary was the formal recognition that facts and right were in irreconcilable conflict with one another. Little as it had been intended by them, they thereby furnished incontrovertible evidence that there were now only two possibilities: either people had to be reconciled to allowing the law to conform to the facts, or that which was conformable to law had to be made a fact by force. Wholly independently of the change of persons on the 4th of March, there could be no third course. Even if Lincoln had, by a miracle, transformed himself in a night in every respect into the most faithfully reflected picture of Buchanan, this would not have been changed in the least. The agony of the Union under the constitution of 1789 must come to an end on that day, because on it facts again asserted their full rights; that is, on that day the force had ceased to act which alone had been able to prevent them so long from making themselves irresistibly felt. Not on the 12th of April did the dice of war roll out of the box of fate. That had already happened on the 4th of March,— not because Abraham Lincoln took the place of James Buchanan, but because

congress no longer stood between the president and the rebellion. Because the legislative power had authority to take steps looking to a constitutional settlement, the delusion that it might succeed, aided by the wish of the secessionists not to bring about a decision during Buchanan's term of office, had been able to postpone the crash for some months. The president did not have that authority, and hence the continuation of this condition of suspense was simply impossible. The policy of the administration remained at first precisely the same. That, notwithstanding this, a very different moral and political judgment must be passed upon it, because the results of the policy of the preceding administration had to supply it with a basis, in no way alters the fact that Lincoln maintained the passivity observed by Buchanan. Beyond that, he no more than Buchanan, could go, even if he had wished to. If he, as Wigfall had very confidently prophesied on the last day of the session, had received and recognized the commissioners of the confederacy, it would have been legally as null as if the dalai-lama had done so. He had, indeed, the formal right to order the evacuation of the forts which were still manned by federal troops; but even that would have been attended by no legal consequences, and he could not give them all up without knowingly violating the official oath he had just taken. Somewhere and in some way he must oppose at least passive resistance to the progress of the rebellion, unless he wished to become guilty of the most enormous usurpation and thereby lay his political head on the block. But the confederacy could not allow itself, at any point or in any way, to be ordered to halt in the practical and legal shaping of its independent political existence; for its foundation was on quicksand so long as it had not accomplished everything which the principle demanded. Reasons of expediency might induce it to make far-reaching con-

cessions, but only in the form of international treaties. The least breach of the principle would imperil its all. The end of Buchanan's presidency had cleared the way for it, but the simultaneous end of the Thirty-sixth congress compelled it to go forward. That was something its leaders had never sufficiently considered and it upset all their calculations. The game now stood in such way that whoever had the next move was sure to win. Lincoln could wait until the Thirty-seventh congress met in its first session, and he waited. The confederacy, on the other hand, had to act after it had given the lie to Wigfall's prophecy, unless it wanted to make a fool of itself in the eyes of its own people and of the entire world. Only so long as military reasons made it seem necessary, should it have rested satisfied with the endeavor to obtain possession of all the forts situated within its limits. Its invitation to come to an amicable agreement was clothed in the form of a proposition made by one power to another. By so clothing it, it forewent the political reasons which might have been advanced for its waiting longer, from the moment that its pretension to be an independent power was rejected. But it thereby also deprived both the federal government and the states loyal to the Union of the possibility of allowing new acts of violence to be considered, like all those hitherto committed, simply as facts. They must now, as the logically inevitable consequences of the principle proclaimed, be looked upon as war. If the confederacy began war against the Union it would sweep from under its feet with one blow the foundation on which secession had raised the whole structure of its success. Not a difference of opinion in the north on the right of secession, but on the expediency and the right of using force, had led it from victory to victory without meeting any resistance. If now the confederacy passed from the ground of law to the ground of force, then, *ipso facto*, the use of force by the

north would be no longer a question of law. The non-coercion doctrine which had sprung into existence through it would be broken by its blows into a thousand splinters which could still claim a place only in the obscurest corner of some old political curiosity shop. The erroneous doctrine had been deduced from the constitution, but the confederacy had taken its stand entirely, exclusively and irrevocably on international law, and had thereby broken the chains which had thus far bound the arms of Nemesis.

The augury did not deceive. The gravest crisis was passed. The darkest hour was over, and day was approaching. From the last moment of the life of the Thirty-sixth congress all further attempts to save the Union had become impossible, and the possibility of restoring it had thereby been won. Its restoration, indeed, could be effected only by blood and iron, and hence the country must see terrible days before the sun of the 4th of March could emerge victoriously from the clouds which had hidden its rise with a dark veil. But the confederacy must compel the northern population to resort to these means, and the moment they were forced to resort to them they became themselves again, and the restoration of the Union was assured.

Of the Union, but not of the Union reduced to ruins under the constitution of 1789. The assertion, made numberless times by the secessionists, that that Union could not be again welded together by the blows of war if it were once broken, proved true. Notwithstanding much success in details, less than nothing was accomplished towards reaching the real end aimed at so long as that was attempted. But the secessionists had assumed as a matter of course that the north would abandon the restoration of the Union when it had become convinced by experience that the restoration of the former Union was impossible, and that was a disastrously false conclusion. The slavoc-

racy had frequently been warned by the more wary among themselves that secession was suicide. This proved as true as the former assertion. As the government of the confederacy was in downright earnest with the assurance that it desired an amicable settlement with the Union, so the Union was in downright earnest with its repeated solemn declarations that it only wanted to force the seceded states back into the Union, and would not in the least touch one of its rights under the old constitution. And as the government of the Confederate States had not been able to fulfill that wish, so the government of the Union could not redeem those promises. When the confederacy forced the sword into the unwilling hand of the north to fight for the Union, it compelled it at the same time not to lay it aside until it had destroyed slavery with it; for in the very nature of things the destruction of slavery was the precondition of the restoration of the Union.

The morning was cold and cloudy. It verily beseemed it to be so, for during three long months the legislative and executive powers had moved only their tongues, but never a finger to arrest the breaking up and crumbling to pieces of the republic whose proud, gigantic structure had excited a marvelous feeling of discomfort about many a European throne. Hard, but not too hard, are the words already cited from the lips of an American, that the people had gone to the limits of infamy to escape the necessity of a manly struggle for the nation's existence. And yet on that 4th of March the restoration of a Union incomparably stronger, more majestic and richer in promise for the future, was beyond a question, for the corner-stones of the new foundation were to be the burial mounds of the three dark powers which unbound the furies of civil war: the doctrine of non-coercion, the slavocratic interpretation of state sovereignty, and slavery.